

Date Printed: 11/03/2008

JTS Box Number: IFES_10

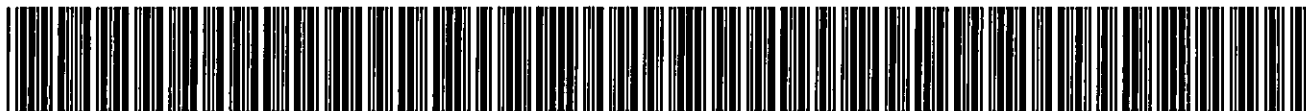
Tab Number: 27

Document Title: Slovak Republic: Pre-Election Technical
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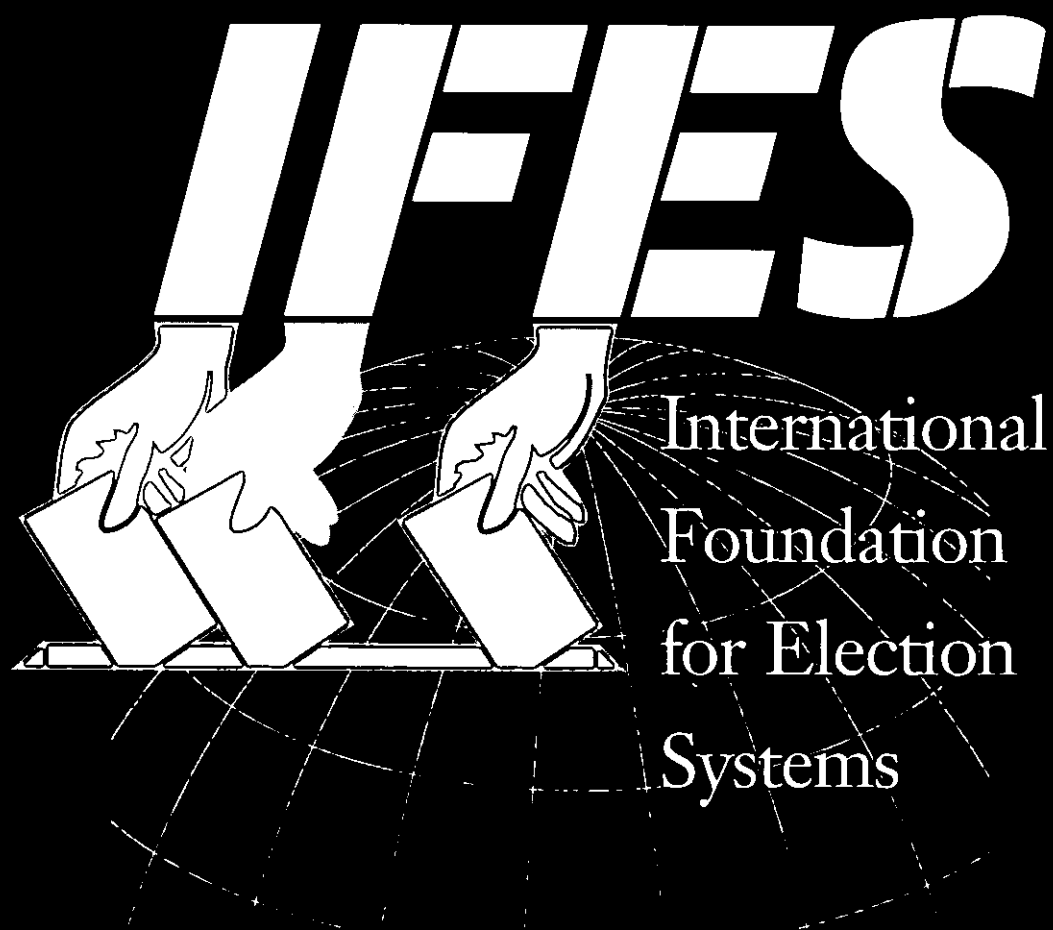
Document Date: 1997

Document Country: Slovak Republic

IFES ID: R01843



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International
Foundation
for Election
Systems

SLOVAK REPUBLIC
PRE-ELECTION TECHNICAL
ASSESSMENT

DECEMBER 1997

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This Report was made possible by a grant from the United States Agency for International Development (USAID).
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EXECUTIVE SUMMARY

In December of 1997, the International Foundation for Election Systems (IFES) conducted a Pre-Election Technical Assessment (PETA) for the Republic of Slovakia to evaluate the internal strengths and weaknesses of its electoral laws and administration, identifying and examining both where the electoral process is vulnerable to external influences and where it is open to independent monitoring. This report identifies ways to improve and safeguard the integrity of the electoral process, including methods for independently verifying its integrity.

The IFES team was impressed with the advanced development of the electoral administration, as well as the extremely vibrant civic sector and NGO community in Slovakia. Political parties were, by and large, well organized and motivated, possessing a keen comprehension of the democratic and electoral process, as well as respectable connections to their constituencies. Previous elections in the Slovak Republic have also generally met international and European standards.

There were, however, areas of serious concern. First and foremost, an apparent denigration of the rule of law in Slovakia (as evidenced by the Gaulieder case, the 1997 referendum and the government's response to the subsequent court rulings on each) raise issues likely to be tested in the upcoming elections. Furthermore, rumored alterations to the electoral law, promulgated in order to gain political advantage for the ruling party at the cost of plurality, should be strenuously resisted.

Other specific concerns focused on 1) the misuse and opportunistic amendment of the electoral code, 2) a lack of effective, nation-wide voter education and awareness resources, particularly in voting process and rights, and 3) inadequate training of election officials and pollworkers, particularly after the confusion of the recent referendum. Long-term assistance efforts need to be focused on these areas to begin the process of systemic improvement.

Finally, all parties expressed a strong and universal concern of manipulation during the polling and counting process during the assessment. IFES recommends a combination of domestic monitoring and/or a parallel vote count to increase confidence in the election process, safeguard against fraud or mismanagement, and expand public access into the democratic and political process at a fundamental level.

ONE INTRODUCTION AND OVERVIEW

I. Introduction

A. Scope of Work

In December 1997, the International Foundation for Election Systems (IFES) conducted a two-week pre-election technical assessment (PETA) in Slovakia to analyze the internal strengths and weaknesses of the electoral laws and administration of the Slovak Republic, including election day procedures, and to identify and analyze the points at which the electoral process is vulnerable to external influences or open to independent monitoring. This analysis includes discussion of indirect impediments to free and fair elections (non-technical and non-legal) with the ultimate goal of identifying, in preparation for the Fall 1998 Parliamentary and Local Elections, ways in which to improve and safeguard the integrity of the process, including methods for verifying the integrity of the electoral process independently.

In its assessment planning, IFES sought to identify team members who possessed both regional experience and vocational knowledge in elections and political processes. In particular two specific skill sets were identified: election law and administration, and civic and voter education/development. Biographical information for the team members is included as Attachment A.

The assessment plan sought to capture information from original sources in both personal interviews and English language translations of laws, documents, and political analyses. Over 45 meetings were held with representatives of political parties, non-governmental organizations, media organizations, government departments, members of former election and referendum commissions, research institutions, and international organizations (see Attachment B). Documents researched included the laws applicable to the election process, news accounts, and reports from other organizations.

Although many of the persons to be interviewed resided in Bratislava, the assessment plan sought to include areas outside of the capital. The cities and regions surrounding Komarno (in the primarily ethnic Hungarian region of southern Slovakia) and Kosice (seat of the Slovak Constitutional Court in eastern Slovakia) were special focus assessments because of their unique political circumstances and complexities.

Specific goals of the Assessment were:

- To evaluate Slovak administrative systems, in particular the delivery of electoral services such as constituency delimitation, voter identification and registration, balloting and election administration, poll worker training, vote tabulation, campaign regulations and civic participation prior to upcoming parliamentary and local elections.
- To assess the current programs and channels for voter education and information, particularly with a focus on the upcoming rounds of elections in 1998.
- To provide a critical analysis of indirect (i.e. non-technical or legal) impediments to free and fair elections, as well as an examination of the Slovak media and its influence upon voter and campaign information.
- To identify feasible areas for short-term technical assistance in anticipation of the parliamentary and local elections and provide a framework for public- and private-funded assistance projects.
- To recommend longer term improvements to Slovakia's election process and concrete actions which can be taken by USAID and the NGO community in strengthening democratic institutions in Slovakia.

B. Country Background

Parliamentary elections have been unofficially set by the Chairman of the Parliament, Mr. Gasparovic, on 25 and 26 September, 1998. A spokesman for Prime Minister Vladimir Meciar told Slovak Television on 15 January, 1998 that agreement on the date was reached during a meeting with the ruling coalition and other officials, which Meciar chaired.

The last parliamentary elections were held in Slovakia on 30 September and 1 October 1994. At that time, the ruling Movement for Democratic Slovakia (HZDS) and Agricultural Party of Slovakia (RSS) together garnered 35 percent of the vote, which is approximately the same percentage they gained in 1990 and 1992. This 35 percent showing gained the parties 61 of 150 seats in the National Council of the Slovak Republic, the federal legislative body. Their current coalition partners, Slovak National Party (SNS) and the Association of Workers in Slovakia (ZRS), received 5.4 percent and 7.3 percent respectively, thus giving the former nine seats and the latter thirteen. Together, the ruling coalition parties initially controlled 83 seats. The opposition, called the Slovak Democratic Coalition (SDK), which was formed in 1997, consists of the Christian Democratic Movement (KDH - with 10% of the vote and 17 seats), Democratic Union (DU - with 8.5% of the vote and 15 seats),

Democratic Party (DS), Social Democratic Party of Slovakia (SDSS), and Slovak Green Party (SZS). This coalition (SDK) forms part of a larger opposition coalition, which consists of the SDK, the Hungarian Coalition (MK - with 10% of the vote and 17 seats) representing the country's Hungarian minority, which is approximately ten percent of the population, and the Party of the Democratic Left (SDL - with 13 seats). Additionally, there are eight independent parliamentarians.

Local elections are currently scheduled for 13-14 November, 1998 (unofficial dates at the time of this writing). In those elections, it is anticipated that local councils and local Mayors will be elected. Local councils are currently elected in a majority system (within multi-mandate districts), as are Mayors. The government has announced their intention to change the local election law so that city council members would be elected in the proportional system in the future.

Local (communal) elections are also under the jurisdiction of a Slovak Election Commission, in which each party is allowed two members. However, in order to have such representation, a party must run candidates in at least 1/3 of all districts of Slovakia. In addition, parties must nominate candidates in at least 1/3 of the communities within the district. Therefore, such a system imposes a major burden on regional and those parties with parochial (i.e. ethnic minority) interests.

II. Overview of Elections and Political Processes

II.A. Codification

II.A.1. Constitution

November of 1989 initiated a new era in the constitutional development of Czechoslovakia, with the introduction of 46 new constitutional laws prior to the breakup of the federal republic. Prior to the breakup of the Czechoslovak federal state, lawmakers drafted a new Slovak constitution, which took effect 01 January, 1993 under the objections from a number of leading Slovak legal and constitutional experts. The primary concern with the Constitution lies in the separation of powers between the Slovak National Council, the President, government and courts, risking the concentration of inappropriate amounts of influence and control in the government and Prime Minister's office, which is largely unchecked by a weak and dependent head of state. Additional concerns include an inadequate system of checks and balances; the non-binding nature of the decisions of the Constitutional Court, and the lack of an enforcement mechanism; The Constitution also fails to provide resolution for situations which have arisen such as what happens when the Parliament is unable to agree on a candidate for President.

Specifically, the Constitution allows Parliament to recall the President for political reasons (Arts. 86/b and 106) for activities "leading to dissolution or destruction of a democratic constitutional

system." A second limitation on effective presidential power lies in the limited authority to veto legislation, which may be overridden with a 50 percent plus 1 vote majority in Parliament, reducing it to a symbolic gesture of political resistance.

This weakened presidency increases the danger of a monopoly of power within the government, potentially controlled by one single party, to the potential exclusion of opposition and minority parties. Furthermore, the current political situation highlights a potential legal crisis resulting from disputes in the election of the President.

According to Article 101/3 of the Constitution, a three-fifths majority is required to elect the President in the first round. Should this attempt be unsuccessful, there are no provisions for lowering of the threshold, resulting potentially in a stalemate. Given that the current ruling coalition has less than a three-fifths majority in Parliament and significant tensions exist between the Government and opposition, it is likely that no single candidate will emerge successfully.

Should this occur, presidential powers are transferred to the Prime Minister (Art. 102), with the exception of sub-paragraphs 'd' through 'g' (Art. 105) including dissolution of the National Council, signing of laws, appointment and recall of the Prime Minister and other members of the Government, and the appointment and recall of administration heads. The potential also exists for a legislative crisis as well, as the power to sign draft legislation into law is constitutionally placed in 'limbo' pending the eventual election of a President, although a precedent set prior to the selection of Slovakia's first President may lend legal weight to Parliamentary popular acclamation of legislation obviating the official Presidential signature.

In a more general sense, while amendments to the Constitution will, over time, be necessary and even healthy for the country, short-sighted manipulation for political gain needs to be strenuously guarded against. Furthermore, general education and information about the role of the Parliament, Government and President within the electoral process needs to be disseminated throughout the country in a non-partisan and non-complicated fashion.

II.A.2. The Slovak Parliamentary Election Law

The Slovak Parliamentary Election Law was originally promulgated in March of 1990, while Slovakia was still a part of the Federation of Czechoslovakia (No.50/1990) and shortly after the country declared itself a democracy. Elections were held in 1990 for the new legislative body, which used a multiparty parliamentary type system. The Election law was amended in 1991 and 1992, while Slovakia was still part of Czechoslovakia. In June, 1992, an election was held to select a new Slovak National Council. After the breakup of the two countries into the Czech Republic and the Slovak Republic on 1 January, 1993, the election law was amended again in June, 1994 to reflect

that change. New elections ensued on 30 September-1 October, 1994 for the current 150-seat unicameral legislature.

II.A.3. Elections for National Council

The National Council of the Slovak Republic (NRSR) is the parliament or legislative body of the Slovak Republic and consists of 150 members, each designated as a "Deputy". In October, 1994, in the first election conducted for the National Council after formation of the new Slovakia, there were four multi-mandate constituency districts in the country, basically determined geographically, from which the Council members were elected through a proportional party list system. Political parties achieve Council status by obtaining a minimum percentage of votes in the election.

To qualify for the ballot, parties must submit documents which confirm a minimum of 10,000 members, supporters willing to sign a petition, or may also qualify by obtaining at least 10,000 votes in the last election. Parties may decide to submit a joint list of candidates. At the polls, each voter is presented with a separate ballot for each party which contains the list of candidates of that party for that region. Each list of candidates is presented in alphabetical order. In most cases, because of the sheer number of districts, candidates' names are listed on the front and back of each ballot, clearly giving an advantage to those with names in the beginning of the alphabet. At the ballot box, voters chose the ballot with the political party of their choice, then are given the option of selecting up to four names from that party list to prioritize (i.e. 1,2,3,4). When the priority votes are counted, the list of candidates on each ballot is revised to reflect the will of the voters (however, at least 10% of the voters must mark a given candidate for that preference to be valid).

II.A.4. Selection of the Prime Minister and President

After the new Council is seated, the President asks the leader of the party with the most seats in the NRSR to form a government. If he or she is successful, traditionally that person is appointed by the President to become Prime Minister, serving for the term of the Council or until a vote of no confidence is passed. Vladimir Meciar first took office in June 1990 as a member of Public against Violence (VPN). He was ousted in a vote of no-confidence in 1991. After the elections in 1992, he became Prime Minister for the second time as the chairman of the HZDS. He was dismissed again in a vote of no-confidence in March 1994. In December 1994, he took the office of the Prime Minister for the third time. A three-fifths majority of the Council elects a President who serves for a fixed five-year term. The current President, Michal Kovac, was first selected by the parliament early 1993. His term will expire on 03 March, 1998. Since it does not appear that the Council will agree on a new President, the position is not likely to be filled, setting up a constitutional crisis in Slovakia.

II.A.5. Qualifying for the Ballot: Parties and Candidates

Political parties have several different methods to qualify for the ballot, including:

1. Obtaining at least 10,000 votes in the last election and qualifying by submitting documents to the National Council which shows that the party had representation in the Council at least 60 days before the declaration of the election;
2. Submitting documents which show at least 10,000 bona fide members of the party;
3. Submitting petitions with a minimum of 10,000 signatures of voters who support the party.

Qualification documents must be submitted to the Slovak Electoral Commission who determines their validity. Candidates cannot be on the list of more than one party and must sign a statement of support for the party whose banner they are running under. Candidate lists are examined by regional election boards for their validity and completeness. Candidates may withdraw their name from a party's list as close as 48 hours prior to the election.

II.A.6. Qualifying for Representation on the National Council

Under the current law, to qualify for seats on the National Council, an individual political party must receive a minimum of 5% of the vote. An alliance of two or three parties must reach a 7% threshold, while a combination of four or more parties must have 10% of the votes cast for their groups.

II.A.7. Political Party Funding

Each party which obtains at least 3% of the total votes is entitled to be reimbursed at a rate of sixty (60) Slovak Crowns for each vote received (equivalent to approximately two U.S. dollars per vote). Parties can also finance their election activities from party funds.

II.B. Administration and Policy

Elections in Slovakia are conducted under the purview of a temporary central election authority designated as the Slovak Election Commission (SEC). In addition, administrative officials from the Ministry of the Interior provide staff and other support during the election period and also are involved in pre-election preparation activities and in statistical analysis of results, drafting of new regulations, and publication of related materials between elections.

II.B.1 Election Commissions

No later than 60 days before a parliamentary election, a Slovak Election Commission (SEC) is established to direct the election. This responsibility also includes adopting rules and procedures and acting as a quasi-judicial body to hear election-related complaints. Under the SEC are other tiered commissions including the Regional Election Commission (REC), District Election Commission (DEC), and the divisional (polling station) Election Commissions (PPEC). The SEC, like the other election commissions at lower levels, consists of representatives of the various political parties who have status for the election. Such representation is designed to provide proper checks and balances on the commission. In addition to party representatives, a "secretary" of each of the commissions is appointed by the government (at various levels) to provide administrative support.

Slovakia Electoral Commission (SEC)

The SEC is a temporary body mandated by the Slovak Election Code to oversee elections in Slovakia. It is authorized to have two representatives from each political party who submit lists for the election, plus administrative support appointed and provided for by the Ministry of the Interior. The SEC is the body which implements the election code. Its duties include:

- Supervising the activity of regional election commissions;
- Promulgating rules, procedures, and opinions regarding the election;
- Hearing complaints regarding the election and rendering decisions and opinions;
- Hearing appeals of decisions made by lower level commissions;
- Compiling lists of all candidates;
- Determining who may be present at the polling stations to observe the count;
- Receiving and announcing election results and issuing credentials to those elected.

Regional Election Commission (REC)

The RECs have much of the same composition and duties of the SEC (two members from the political parties; a secretary appointed by the Interior Ministry). RECs are formed no later than 60 days before the election. Their duties include:

- Supervising the activity of district election commissions within its region;
- Hearing complaints regarding the election and rendering decisions regarding such complaints;
- Hearing appeals of decisions made by lower level commissions;

- Compiles lists of all candidates from the region;
- Receiving results from districts and submitting them to the SEC;
- Performing duties as directed by the SEC.

District Election Commissions (DEC)

DECs consist of one member from each party on the ballot plus a secretary designated by the district administration. All members must be appointed no later than 30 days prior to the election. The District Election Commissions report to the region and are responsible for conducting the election in their jurisdiction. They hear and render decisions regarding the complaints of the divisional electoral commissions (polling station). They supervise the PPEC very closely and can call them back into session to correct errors.

Polling Place Election Commissions (PPEC)

By law, there are about 5874 polling stations currently established in Slovakia to serve voters on election day. There is to be a minimum of five people serving on the PPEC. No later than 30 days prior to an election, PPEC members are appointed by the political parties who field candidates in the region and/or district. The head of the local governing body (Mayor) may appoint members to a PPEC if the political parties fail to do so. Most polling stations serve about 800-1000 voters but their constituencies may be considerably smaller in rural areas.

II.B.2. The Election Department of the Ministry of Interior

Several departments within the Ministry of the Interior (appointed by the government) are involved in the administration of the elections before, during and after the election itself. Activities are stipulated by law (section 54). That participation includes:

- 1) Printing ballots;
- 2) Equipping the polling stations with necessary materials;
- 3) Drafting election laws (which the NRSR enacts) and a procedure manual to be used by election commissions;
- 4) Developing public service advertisements to educate voters about the election and the election procedures;
- 5) Selecting and supervising the private accounting company which tabulates the election results;
- 6) Producing a statistical analysis of the election results;
- 7) Providing funds to the various locals for their support of the election administration process.

II.C. Political Parties and Candidates

The large majority of Slovak political parties have evidenced a strong commitment to democratic principles, constitutionality, and free political competition comparable to regional standards- despite their broad variety of political programs, ideological profiles and their different approaches to solving the problems of Slovak society.

Over the last few years coalition groupings have simultaneously included right, left and centrist parties. There are also marked differences in international ties and the degree of European influence. The Christian Democratic Movement (KDH), Democratic Union (DU), Slovak National Party (SNS), Party of the Democratic Left (SDL), Social Democratic Party of Slovakia (SDSS), Green Party (SZS), and the parties of Hungarian coalition (MKDH, MOS, Coexistence) all have extensive international ties. However the ruling coalition parties, HZDS and ZRS (Association of Workers of Slovakia) do not maintain extensive relationships with parties and similar movements in other countries.

In spite of a difficult political environment, the collaboration of the diverse minority parties contributes to the political stabilization of the country and has helped strengthen democratic elements in society. It has also helped promote government adherence to the rule of law.

Political opposition is divided into three groups: The parties which make up the Slovak Democratic Coalition (SDK), the parties which make up the Hungarian Coalition (MK), and the Party of the Democratic Left (SDL). The SDL follows an independent leftist policy. The SDK and the MK parties will cooperate in the upcoming elections.

The Slovak party system is based on the Law on Association in Political Parties and Movements, from 1991. It has been amended three times since then (1991, 1993, 1994). One of the amendments, adopted on 21 January, 1993, establishes a legal framework for the activity of political parties and movements. Financing of political parties is regulated by the Law on Contributions for Political Parties and Political Movements for the State Budget of the Slovak Republic (1992).

The Law on Elections to the National Council of the Slovak Republic adopted in 1994 sets out a proportional system consisting of a party candidate list with preferential voting and thresholds for entry into parliament of five percent for a single party, seven percent for a double or triple coalition and 10 percent for a coalition of four or more parties. In the Slovak parliamentary elections in 1994 no party emerged with a majority. The Movement for a Democratic Slovakia was the largest vote-getter with 61 seats. It then formed a coalition with the far-right Slovak National Party (9 seats), and the far-left Association of Slovak Workers (13 seats). Since that election, a few members of the

initial ruling coalition have joined the opposition.

The total number of seats currently held by the ruling coalition totals 82, therefore, the coalition lacks the 90 votes or three-fifths majority necessary to change the constitution, pass constitutional laws or elect or recall the president.

Other parties or coalitions represented in the parliament include the Hungarian Coalition with 17 seats, the Christian Democratic Party with 15 seats and the Democratic Union of Slovakia with 13 seats. One member from the electoral list of the Christian Democrats, and one from Democratic Union have become independents. Also represented in the Parliament are the Party of the Democratic Left with 13 seats, the Social Democratic Party of Slovakia with one seat, the Slovak Green Party with one seat, and the Agricultural Party with one seat (these individual deputies are counted as independents). The number of independents is now eight.

With the high degree of political polarization in Parliament, there appears to be little or no consensus supporting any candidate for the presidency. Many are forecasting a constitutional crisis when the current president's term ends. If no president is elected, most of the presidential powers will be assumed by the Prime Minister (c.f. section II.A.1. - Constitution).

TWO ISSUE EVALUATION

I. Electoral Process Issues

I.A. Electoral Code and Anticipated Changes

It is anticipated that the present ruling coalition will adopt changes to the national election law in 1998 with little input from opposition parties or non-governmental organizations.

Specific changes include:

- 1) Change from a proportional to a majoritarian system, potentially excluding many small parties (including those in the ruling coalition);
- 2) Change in the administrative delineation to make all of Slovakia a single constituency, effectively creating a system where party leaders' ("List Bearers") names appear on proportional ballots, rather than the names of individual candidates;
- 3) Change to nominate 'administrative' members of polling station committees and local election commissions in place of representative of political parties;
- 4) Change of the minimum 'threshold' levels required to earn parliamentary representation to require

that each political party within a coalition receive five percent.

It is expected that the new system of electing members of the Council will be through a country-wide single district system. Some have suggested that the current parliament may increase the threshold for parties and alliances to 5% for each party in the coalition, which would effectively eliminate many of the smaller parties, particularly those representing ethnic minorities. Most parties in opposition to the current government expressed the belief that such a system would put them at a clear disadvantage in the election. Moreover, groups associated with minority interests (Hungarians, Roma) expressed dismay over the increase of threshold levels, believing that it would clearly diminish opportunities to elect members of their groups to the Council. Most preferred a system with the country divided into at least eight constituency districts. While some members of the ruling coalition also indicated that they had problems with a single mandate election, they were expected to support the change anyway out of fear of losing the political power and influence they now enjoy with the current government.

The courts have complained through rulings that there are not enough specifics in the election code to provide adequate guidance for the SEC and the courts. There is a general belief that the laws need to be strengthened and that adequate regulations and procedures need to be adopted to prevent the confusion which now exists.

I.B. Election Environment

I.B.1. Campaign Period

Under the Article 23 of the election code, the official campaign period starts 23 days before the election and ends 48 hours before the election begins. During this 21 day period, parties are entitled to guaranteed access to the mass media to put forth their candidates and platform. Any disputes regarding the conduct of the mass media during the campaign period are to be decided by the Slovak Electoral Commission. This procedure has caused some problems since campaign activity tends to begin in advance of the 23-day period before elections and also in advance of the appointment of the SEC. Since a SEC is not in place until just 60 days prior to the election, there is no legitimate body nor legal means to hear complaints about improper activity that may occur prior to the appointment of the SEC.

I.B.2. Voting Date

The date of the election is set by order of the Chairman of the NRSR at least 80 days in advance. The election may be held on one day with the polls opened from 7:00 to 18:00. However, the Chairman has the authority to order that the election be held over a two-day period with the polls

open from 14:00 to 22:00 on the first day, and from 7:00 to 14:00 on the second. In addition, the Mayor has the authority to open the polls earlier.

Two-day tradition

The tradition in Slovakia has been to hold the election over a two-day period, typically on a Friday and Saturday. However, there have been recent calls to conduct the election over a one-day period to save costs and to insure greater ballot security.

I.C. Voters Lists and Registration

Through the constitution and election code of Slovakia, citizens are guaranteed the right to participate in elections provided they meet the mandatory age of 18, are a permanent resident of Slovakia, and have not had their legal rights deprived due to mental condition or imprisonment. For the upcoming 1998 elections, voters are automatically placed on the rolls by the local authority (Mayor) based on the information provided by birth registrars. In prior elections, names were placed on the rolls from information obtained by the local police authority. The local government is to post a list of all voters on the rolls no later than 30 days prior to the election in local buildings. In housing complexes with more than 5000 voters, such lists must be posted in each building.

I.C.1. Appeals to Voter Lists

Voters may appeal inaccuracies in the voter list first to the local government, then to the local district courts. The court has three days to correct any discrepancy brought to its attention and must inform the voter (in writing) of a denial of any change requested.

I.C.2. Change of Address

Voters who are not in the jurisdiction which contains their name on the voter list may obtain a certificate from the local authority which shall allow them to cast a ballot at the new polling place. Such certificate shall also remove them from the voter rolls of the previous jurisdiction.

I.C.3. System of Organization

In some of the larger jurisdictions (Bratislava & Kosice), the voter lists are generally formulated using modern techniques including computer-based data systems. However, for the most of the country, such lists are maintained by hand or by a type-written method.

I.C.4. Complaints/Other Registration Problems

Representatives of the Hungarian and Roma minority have stated that many within their groups were found to be off the rolls on election day. In addition, they indicated that there was little publicity regarding the process necessary to insure that a Slovak citizen is on the voter lists. The laws regarding the voter lists are loosely written leaving much to interpretation by the commissions and courts. Tighter laws must be devised to insure voters full and legal access to the ballot box. Voters should be entitled to an election day appeal if they are found not to be on the rolls. In addition, consideration should be given to mail each voter a notice for elections and a notice of registration at least 10 days prior to the election.

I.D. Election Day Procedures

I.D.1. Receiving Ballots

On election day, voters must show identification to the polling station commissioners then sign their name on the voter list prior to receiving a ballot. If the voter does not have identification, he/she may vote if known to at least one member of the polling station commission, or at least two people who are known to the election commission. If the voter is not on the rolls but comes to vote with an authorized voting certificate, his name is added on a separate registration list and he is permitted to receive a ballot.

A voter receives an empty envelope in which he or she will place his or her ballot. Voters can only receive one set of ballots and may not have assistance in the polling booth unless they request it. Voters receive a ballot for each party and then select the ballot with the party of their choice. Voters may then prioritize up to four names on the party ballot. The voter then places the ballot in the envelope, seals it, then deposits it in the sealed ballot box. Unused ballots of the political parties not chosen are to be discarded by the voter.

I.D.2. Ballots and Security

Official paper ballots are to be printed by the REC who is responsible for their distribution and accounting (the Ministry of Interior acts as technical support to the REC and other election commissions). All ballots are to be of the same color, font and size. Blank ballots must contain the seal of the regional commission. Before voting, the ballot box is checked to be empty and the unused ballots, the voter lists, and voting equipment are checked to make sure they are in order.

Ballots boxes are to be sealed by the commissioners prior to the opening of the polls. In addition, if the election is conducted over a two-day period (as is typically the case in Slovakia), the ballot box

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is to be sealed overnight and, together with the voter lists, it is to be placed in a safe place, as determined by the chairman of the polling station.

The balloting system in municipal elections follows the French model of party ballots, where voters deposit an entire ballot for the party of their choice. Additionally, voters may circle up to four individual candidates names to indicate "preference" in party list order. In the last general election, voters in some districts were given as many as forty (40) different ballots.

Specific issues include:

- 1) In addition to the confusion that handling so many ballots cause, the secrecy of the vote was called into question as political parties had the opportunity to require members to produce all but their ballot as evidence of a 'proper' vote;
- 2) Ballots are often double sided due to long lists of party candidates, which gives advantage to candidates who's names appear on the front of the ballot;
- 3) Candidate preference cannot be indicated 'across party';
- 4) Representative composition of the Polling Place Election Commissions is threatened by proposed changes to nomination procedures, which would allow government appointment of Commissioners, threatening ballot security through removal of mutual checks and balances between representatives of Government and opposition parties.

I.D.3 Polling Place Election Commissions

While most PPECs appear to have had adequate party representation in the past to provide proper checks and balances at the polling stations, it does appear that in some areas, the weakness of the political parties has allowed for one-party dominance or for the Mayor to appoint members to a commission. Also, the failure to secure adequate representation by members of ethnic minority groups appears to be a problem in parts of the country. Lack of adequate party representation at the polling stations will allow more opportunities for vote fraud.

It is clear that with the plethora of political parties in Slovakia, most of them small, it can be difficult, if not impossible for the parties to have representation at all 5000 polling stations throughout Slovakia to provide the proper check and balance which is necessary to prevent fraud. The political parties should be educated as to their rights and advantage of nomination, and encouraged to recruit people who will serve on polling station commissions far enough in advance of elections to allow sufficient training. Deployment of party appointees to areas of real need should be encouraged and facilitated.

Furthermore, based on extensive meetings, election commissioners at all levels indicated that they

were not adequately trained or that the training that is provided is not uniform. Some political parties provide additional training for its members while others do not. Due to this lack of education and experience, party appointees often lack an adequate understanding of their rights and responsibilities. Consequently, they are unable to effectively observe the voting and participate in the counting procedures.

IFES strongly supports the use of political party representatives to the PPECs for two reasons:

- a) Direct participation of citizens in the voting process through political parties allows for an additional and critical level of individual responsibility and awareness, as well as a highly effective form of national voter education;
- b) Broad party representation on PPECs adds additional security and safeguards to the balloting process through mutual checks and balances between the commissioners (of both Government and opposition).

I.D.3. Mobile Voting Station

If a voter is unable to come to the polling station on election day due to health conditions, then he/she may request that two members of the polling station commission bring ballots and a sealed mobile ballot box to them in order to cast such ballot.

I.D.4. Counting Procedures and Tabulation of Results

Ballots are counted by hand at each of the approximately 5800 polling stations after the polls close (typically, in two-day elections, at 14:00 on the second balloting day). Unused ballots are placed in sealed envelopes. Ballot box seals are then broken. Envelopes containing the voted ballots are removed from the box and those that contain the proper seal are opened for counting. The number of envelopes used is compared to the signed voter lists for accuracy. Commissions generally separate the ballots into stacks based on the party choice. Then, after counting the number for each party, each party list on each ballot is scrutinized and the preferential vote for candidates on the party lists are then counted. A vote is considered invalid if the envelope contains ballots for more than one party. The counting process may be observed by all members of the polling station, members of higher ranking commissions, and any person designated by the SEC to be allowed to observe the counting process.

Results are placed on a protocol (also called "minutes"), which is to be signed by members of the polling station commission. This protocol is to contain information regarding the time polls were opened and closed, number of voters on the list, number who received and returned envelopes, number of valid votes, number of valid preferential ballots, number of votes for each party and for each candidate. In addition, any complaints, resolutions or other problems at the polling station are



to be noted on the protocol. The protocol is then to be transmitted to the district election commission. Voted ballots and the voter lists are to be resealed then brought to the local administration office for storage.

After compiling the results from all the polling stations in its jurisdictions and checking for accuracy, the District Election Commission transmits the information to the Regional Election Commission. The REC determines the results in a given constituency on the basis of the voting results and transmits those results to the Slovak Electoral Commission. The SEC then examines the votes from all the regions and constituencies and determines the mandates won by each political party and the deputy to be elected. The REC distributes these mandates.

The Ministry of Interior utilizes the services of an outside accounting company to tabulate the voting results which it receives from the various regions or districts on election day. Apparently, there is no provision to have party or independent observers present during this process.

I.E. Domestic Observers

Since domestic observers are not specifically prohibited by the electoral code, the Slovak Election Commission has the authority to permit their participation in monitoring all aspects of the election process. The electoral law appears to give the SEC specific authority to designate domestic and other observers of the tabulation process. Article 32, "Persons Who May Be Present During the Tabulation of Votes", states "Members of electoral commissions ...as well as persons who have permission of the Slovak Electoral Commission, have the right to be present in the room where divisional electoral commission is tabulating votes." While there is no specific mention of such persons allowed to observe the voting process, there does not seem to be a prohibition against it either. Therefore, the SEC can issue a resolution allowing domestic observers for the election and authorizing credentials for same.

There are other countries of the world where domestic observers are not mentioned in the election law but the central election authority authorizes them anyway. Moldova is one example where this has happened in recent elections. Pressure was put on the Moldovan CEC by domestic NGOs and the international community to allow domestic observers during several recent elections. The CEC subsequently issued a resolution allowing such observers and issued them credentials.

There is no question that the considerable number of democracy/civic related NGOs in Slovakia can provide a tremendous service to the election process by recruiting, training, and placing independent observers at polling stations throughout the country. In light of the fact that many polling stations have only one-party representation and because of the general fear of election manipulation, independent domestic observers are sorely needed.

II. Constitutional Court: Election Issues

Perhaps the most respected governmental body in Slovakia is the Constitutional Court which is located in the eastern Slovak city of Kosice. Keeping with a tradition which started under the CzechoSlovak government, the Court was deliberately moved to Kosice in 1993 to foster its independence from the Government. The Court consists of 10 members, all appointed at the same time by the President of the Republic from a list of 20 candidates proposed by the National Council. The President also appoints the Chairman and Vice-Chairman of the Court. Members serve a fixed term of seven years and may be reappointed. Current Court members were initially appointed on 21 January, 1993. Their terms will expire in January, 2000.

In recent years, the Constitutional Court has been deeply embroiled in controversial election issues. During the recent referendum election, while the Court ruled that the question on the direct election of the President was valid, the ruling was ignored by the government and the question was removed from the ballot. The Court has urged that the law on referendum be changed to avoid such crisis in the future. In all of 1997, there were 68 election complaints filed with the court. Ten involved the parliament while 58 concerned local election matters. Of the ten parliamentary complaints, five were dismissed because they did comply with basic requirements of the law, three were thrown out on technical grounds, and two were determined on the merits.

III. Political Process Issues

III.A. Campaigns and Financing

The Slovak governing coalition's privatization policies since 1994 have resulted in the concentration of economic power in the hands of a few, primarily party loyalists. This has led to a cliental system that could reduce funding for non-coalition parties.

The ability of any political party to participate in the grand scheme of things depends upon their ability to attract a sufficient number of members and to be influential enough to meet the financial demands of modern day membership drives, campaigning and general expenses.

The constitution requires the separation of political parties from the state. Formally this separation includes the economic activity of political parties. Political party finances are the province of the section of the Law on Contributions for Political Parties and Political Movements from the State Budget of SR, #190/1992 Zb. Expenses on election campaigns are legally limited to 12 million SK per party, however this limit was not adhered to in the last elections. As such, financing political parties and movements is a growing problem.

Slovak law allows political parties and movements to conduct their business only in clearly defined areas. However, Slovak media revealed in 1996 that HZDS members had founded businesses that participated in privatization projects in sphere of business activity not covered by the Law on Political Parties and Movements. The use of these methods to strengthen the position of a particular party complicates the process of democracy.

Despite these gray areas, existing laws dealing with the activity of political parties and movements in Slovakia provide an adequate framework for the development of a party system in the Slovak Republic. The large number of political parties is perhaps a reflection of Slovakia's societal diversity rather than a mechanical result of the proportional electoral system.

Efforts to decrease the number of political parties by replacing the proportional electoral system with one that would give over to a "winner take all" system could break down the existing links between particular groups of the population and established political formations.

III.B. Role of the Media in the Electoral Process

Media access for most political campaigns is limited to the news media outlet that supports that particular political party, whether it is government or opposition. Newspapers do not give editorial endorsements, rather, give space to the various political parties for articles and general statements concerning the party's views with regard to the prevalent issues of the day. Although the number of independent sources of news is increasing, the government still controls the larger portion of the broadcast industry. State radio and television are the only broadcast media that reaches all areas of the country.

In its efforts to appear fair in making state media available for political parties, there is an official policy regarding air-time for parties before elections within the existing Election Law. Each party is to be given equal airtime on public electronic media (TV and radio). 21 hours of airtime is divided equally among all of the parties running for election. Election advertisements, speeches, and programs are prohibited from being broadcast on any private broadcast media and no additional ads, outside air-time officially allotted, can be run on public broadcast media. Print media, however, is not included in this prohibition. There is considerable disagreement with the formula among opposition parties. Inequality may arise when the state media gives parties unequal coverage during regular news broadcasts as well.

The Slovak law on elections states that political campaigns may run 23 days, ending at the latest 48 hours prior to the election. Election speeches and programs are prohibited from being broadcast by any media during this time except for scheduled broadcast time on state radio and television. No radio or television commercials promoting a candidate or a political party are permitted during this

period.

III.C. Non-Governmental Organizations

Slovakia has a vibrant and thriving community of non-governmental organizations. There are a wide variety of NGOs which supplement and, in many cases replace governmental responsibility in areas of social concern. A large proportion of the civic and electoral NGOs receive a major portion of their funding from sources outside the country. Programs are professional, networking and cooperation are well established, and the organizations are familiar with international standards.

Slovak NGOs are a great force within the country that affect implementation of the rule of law, foster respect for human rights, prevent conflicts, and involve citizens in democracy through participation. In Slovakia, the NGOs stimulate individual responsibility and are accomplishing a great deal. But because they also increase sensitivity to civil and human rights, they are often seen as a nuisance by the Slovak government.

A substantial danger to the NGO sector at this time is that many NGOs working in the social and humanitarian sector are dependent on the government for funding. So these organizations are very cautious in taking an objectionable stance toward the government, or becoming involved in "politics." This creates a line of division in an otherwise very united sector.

Slovak NGOs are active in all areas of sports and recreation, education, social welfare, art and culture, health care, the environment, and human rights. In 1995 there were more than 15,000 NGOs registered in the country. The Slovak Academic Information Agency - Service Center for the Third Sector (SAIA-SCTS) is an organization that has worked closely with the Slovak NGO community and maintains close contact with a large number of Slovak NGOs.

III.D. Transparency Issues

While there are party representatives allowed on election commissions at all levels, there is some question as to whether adequate scrutiny is allowed by independent observers. In some areas, because of the lack of strength of party representatives, the proper checks and balance necessary to prevent fraud are not present.

The administrative staff of the Ministry of the Interior who have the responsibility of working on the elections appear to be qualified professionals who are seriously dedicated to their work. However, one can come to the conclusion that much of the work completed by the Ministry of the Interior seems to lack scrutiny or input from the public. While the team is not in a position to question the qualifications or legitimacy of the private accounting firm selected by the Ministry which participates

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in the counting of the ballots, it is recommended that there be greater openness in the selection process. In addition, political parties and/or others should be permitted to test the equipment/methods used in the counting process and to be present for the actual counting of the ballots.

One reasonable interpretation of Article 32 of the election code is that the Slovak Election Commission can issue credentials to independent domestic observers (such as NGOs) to be stationed at the polling stations during the vote count. Such observers could be recruited, trained, and used extensively in the upcoming national election. If the law cannot be changed to specifically allow for NGO/independent observers or if the SEC refuses to allow such observers, then clarification should be asked from the court on this issue.

IV. Special Election Issues

IV.A. Fear of Manipulation

While previous elections conducted in Slovakia were generally considered relatively free and fair, the fiasco that took place during the May, 1997 referendum election has shaken the confidence that many people had in the election process. There is no question that there is a deep-seated fear that the election for the upcoming parliamentary and local elections may be manipulated by the government for its own interest. Those fears include:

- Enacting a new election system without input from the public; particularly from those associated with the opposition, minority interests and NGOs;
- Adversely influencing the court system to postpone the election or to issue decisions which cause last-minute confusion and lower voter turnout;
- Manipulating the vote count at the local, regional, and federal levels;
- Free flow of information may be impeded by the vague rules in the new election law and through more news coverage of the ruling coalition.

IV.B. Discrimination Against Ethnic Minorities

In discussions with several individuals and groups closely associated with ethnic minority interests, specifically Hungarian and Roma, there was a general belief that there has been an increase in "hate" speech directed at their groups and that the government has helped to create an atmosphere which

encouraged such activity.

IV.B.1. Perspectives on the Roma in Slovakia

Many Roma spoke passionately about the discrimination which exist in Slovak society against their people. They cite lack of good housing and lack of employment as clear examples of such discrimination. Many believe that the number of Roma is deliberately underestimated by government officials. They claim that the number of Roma in Slovakia is actually close to 10% of the population and not less than 5% as commonly believed. Several representatives indicated that Roma have difficult access to the election process and are frequently not listed on voter rolls on election day.

IV.B.2. Perspectives of the Ethnic Hungarians in Slovakia

Hungarian representatives expressed dismay at the continued anti-Hungarian rhetoric used by several political parties, especially those associated with the present government of Prime Minister Vladimir Meciar. They fear that the present parliament may pass new election legislation that would change the electoral system to a single-district majoritarian system (or a similar system), which would make it very difficult for minority interests to have representation in the National Council.

THREE Recommendations

The following three sections describe policy-oriented and procedural changes which address the process concerns raised by the electoral, legal, and political issues addressed previously.

I. Electoral Process Recommendations

I.A. Election Environment

The problems in the current system tend not to derive from the election laws, but, rather from their potential misadministration. In addition, current considerations of changes to the system tend to confuse and alienate the electorate, making them cynical about the ability of the democratic system to represent their interests. IFES' primary recommendation, based on this assessment, is to avoid changes to the type and standards of the electoral system, specifically changes to minimum vote thresholds for party representation in the National Council.



Additionally, the election law and basic aspects of the election process (including the system of representation) should not be altered after the institution of the Slovak (or Central) Election Commission.

Slovakia is one of the few countries in the region without a permanent election commission. While current staff from the Interior Ministry appear to be fair and competent, a permanent commission, representing the spectrum of political thought, may insure greater check and balance. A permanent central election commission may provide greater stability in the political process, particularly if opposition parties are included on such commission. Also, since most political parties and citizens appear to have considerable confidence in the higher courts, Slovakia may consider whether court members may be appointed to serve on such election commissions, particularly as the Chair of such commission.

In light of the Government's intention to promulgate a new election code, increased public discussion on electoral issues should be considered a priority. Such discussion would be meaningless, however, unless the ruling coalition and all major opposition coalitions and parties participate. The current exclusive attitude of the current government risks the promulgation of laws and other procedural guidelines that will lack the support of the major political players and endanger the election process as a whole.

In addition, there was a perception of a lack of transparency in both appointments to the core membership of the election administrative structures and decision making procedures within these structures, which threaten the legitimacy of the current administrative process. Transparency can be increased in three specific ways:

1. Appointment procedures and the means by which other administrative issues, such as logistical and resource-oriented issues on election day, are dealt with must be clarified in the law or in administrative guidelines;
2. Once the members of the Polling Place Election Commission have been named to election commissions, all decisions made by these commissions should be made with all members present, with the rights of these members clearly stated;
3. Communication procedures between the various electoral commissions should be reviewed and strengthened. Where needed to improve communication, commodity assistance such as fax machines, computers and the like should be provided.

I.B. Voters Lists

While voter lists seem to be satisfactorily maintained and utilized to international standards, on-going efforts to improve the reliability and transparency of the voter lists should include:

1. A voter information effort designed to instruct electors on the procedures surrounding the voters list could be conducted. In this effort, registration specific information would be provided so that voters understood how their names are added to the voters list;
2. The process of compiling a voters list should be subject to greater observation by international groups and political parties. In fact, an organized review involving all political parties could be conducted to randomly check a statistically significant number of names on the list for currency and accuracy;
3. For those jurisdictions with automated records, database comparisons should be run between municipalities to search for individuals who may be registered in more than one location. Voters lists by municipality could be printed out in both address form (as a check for illegitimate registrations by household); and in numerical or alphabetical order (to check for duplicate registrations within a municipality). Vital statistics data could also be compared with voters lists to assess the amount of deceased persons on the list and youths of voting age who are not yet registered.

II. Election Day Procedures

II.A. Ballot Security

Four modifications to enhance the level of ballot security should be developed:

1. Special ballot stock and printing requirements should be introduced. The ballot stock should possess a watermark which would render counterfeit ballot printing operations extremely difficult. Domestic (political party or NGO) or international monitors should be permitted at the ballot printers. The ballot printers should also be required to subscribe to a set of security procedures which may include burning unused ballot stock or mistaken printing runs, locking print plates and film when unused, and posting security around printed ballots.
2. Additional security measures should be added to the procedure for distributing ballots to the voters. Under the current procedure, voters are required to present valid identification, at which time they will receive their ballot and the Polling Place Election Commission member will mark the voter's name as having voted. The voter's signature should be required,

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increasing the difficulty of fraudulently crossing off a voter's name.

3. There should be a thorough review of the process of casting a ballot, especially the design of the ballot paper, for the purpose of making the process of casting a ballot less confusing to the voter and more equitable to all the candidates. Strong consideration should be given to a system whereby the party list is posted at each polling station and the voters just select the parties from the ballot paper. Candidate preferences on individual party list should be eliminated as they do not include the option to indicate candidates across parties (i.e. on different ballots) and complicate the counting and tabulation process.

II.B. Ballot Counting and Tabulation of Results

The existing insecure system of ballot and protocol data transfer in the tabulation process may be unavoidable in the short term, but two modifications could be introduced to lend greater transparency to the process:

1. An additional protocol should be completed and certified by pollworkers and posted outside each polling station, allowing all voters and monitors to collect and summarize the results from official documents. Distributing a copy to each expanded member of the PPECs, those appointed by political parties or other groups fielding candidate lists, would add further transparency;
2. The Chairman of Slovak National Council, who has the authority to decide whether the election shall be one or two days, should be urged to conduct the election over a one-day period. The government should be encouraged to eliminate the opportunity for a two-day election period, as it considers changes to the election code. If the election is conducted over one day, then the time period for voting can be extended to perhaps 6:00 to 19:00.

II.C. Parallel Vote Count

It is recommended that some form of a parallel vote count (PVC) be implemented for the parliamentary election. This advice is based on several factors including: 1) the widespread fear of manipulation of the electoral process and/or the counting process due to the major problems which occurred during the failed 1997 referendum election; 2) the expected lack of political party representation on electoral commissions at the local level in some areas; 3) the fact that the counting will actually be accomplished by a private company without the benefit of adequate observation by all political parties. If there is an inadequate number of resources (financial and personnel) to complete a countrywide parallel count, then perhaps conducting a count in the most problematic areas could be accomplished by some means.

The parallel count would be accomplished by sending independent observers to polling stations who would be present for the closing of the polls and the counting of the ballots. After ballots are counted and results posted on the official protocols at the polling station, the observer would make a copy of the information and call it in to a headquarters or substation which would receive such information. Utilizing an adequate computer counting system, the headquarters would compile the data received and release it to the public. After the election, data from individual polling stations will be compared to official results posted by the election authorities. Parallel count results would not be released prior to the publication of the official count by the government.

Realistically, securing 5800 people to serve as observers is a difficult and costly proposition, especially if they are all international observers. Using a combination of independent domestic observers, recruited and trained by NGOs which have been certified by the SEC, combined with a strong contingent of International Observers would perhaps be the most efficient method of conducting a parallel count.

The personnel used to secure a parallel count for the election could include the following possibilities:

International Observers - International organizations such as the European Union (EU), the Organization for Security and Cooperation in Europe (OSCE), the United Nations (UN), Council of Europe, could send people to serve as short-term observers for the election who could also be used to conduct a parallel count.

NGO Observers - Slovakia appears have a well-developed and broad-based NGO and community which could play a vital role in serving as independent domestic observers. Such observers could be trained to conduct an independent parallel count of the election results. At the present time, it is not clear whether independent NGO observers could be allowed in the polling stations to observe the count.

Political Parties Representatives - Political party representatives, separate from Polling Place Election Commission staff, could be asked to participate in a parallel count program.

While a general parallel vote count, based upon domestic and international observation of the entire voting counting process, is the most effective way of preventing election fraud, a targeted PVC could be effective in specific areas where there is concern of manipulation. In the event that domestic monitors are not permitted in polling station, political parties with representation on PPECs in the area should be encouraged to coordinate the independent recording and counting of results within a given district. International support and observation of this process may lend an additional level of legitimacy and transparency.

II.D. International Monitors/Observers

Many in the in the opposition have expressed a strong desire that International Observers be present for the election and the period preceding it to assess whether or not elections proceed freely and fairly.

The OSCE, EU and other International Organizations as well as individual countries should be encouraged to send an adequate number of observers for the election itself and to monitor pre-election activities. Such observers should be deployed to areas of greatest need, particularly to polling stations where there is one-party dominance. Discussions with the government, opposition and civic society should begin immediately to secure official invitation and facilitation of observers. Candidate identification, background briefings, training, and logistical preparations should begin as early as possible to allow for the most effective observation effort possible.

Based on the Government's past actions with respect to the OSCE's involvement in Slovakia and discussions with government officials, the Slovak Government is expected to be receptive to international observation of the upcoming elections, as well as a range of related international assistance. At the same time, it is not clear whether the Government will cooperate fully with a longer-term activity covering the pre-election and immediate post-election periods, and even beyond.

To be effective, international monitoring of the election process must go beyond the traditional short-term observation of election day and the week or so preceding it. A successful international presence should include two complementary facets:

1. Long-term process monitoring of the campaign, dissemination of information, and the media should be undertake;
2. Critical points and activities in the election process should be monitored, including: the announcement of elections; candidate and party filing deadlines (which will also determine if parties are boycotting the elections); opening and closing of the period for scrutinizing and changing the voters lists; announcement of the polling sites; ballot printing; election day procedures; counting and tabulation; and adjudication of grievances.

II.E. Polling Place Election Commissions

Four measures should be promoted to increase participation and effectiveness of party representatives on PPECs:

1. The rights of political party representatives to be represented on polling place election



commissions should be protected, meeting international and European standards of transparency and representation.

2. Appropriate individuals must be located to serve on the PPECs. Parties should seek to enlist the help of "youth wings" affiliated with political parties, student groups, and other NGOs;
3. Party appointees should be deployed more effectively across Slovakia, especially in areas where particular attention is warranted, should be ensured. Increased coordination among parties and organizations with similar interests would also help assure a more balanced deployment of party appointees on PPECs;
4. Competent training should be provided, along with related materials, so that these appointees are adequately trained to understand their rights, observe the voting and counting procedure, and detect indications of fraudulent activities.

II.F. Domestic Observers

While domestic observers are not expressly prohibited by the election law, the permissibility of domestic observers' presence at polling stations or other election operations under the law should be explored in greater detail. Under Article 32 of the Parliamentary Electoral Code, third-party observers may be present with the permission of the Slovak Electoral Commission.

1. Pressure should be brought to bear upon the SEC by domestic and international organizations and actors to take a decision permitting the presence of domestic monitors.
2. Local NGO's active in civic society and development should be approached and trained in electoral process and monitoring, as well as given assistance in coordinating public awareness and support of the presence of domestic monitors.

III. Political Process Recommendations

III.A. Campaign Activities and Financing

Political party financing is key to development of balanced political opposition in democratic societies. A breakdown in the political formations and the existing links between particular groups of the population can result without major adjustments in the ways in which political parties in Slovakia can legally raise funds. Relevant representatives of the Ministry of the Interior, Slovak parliament and political parties, the media, and representatives of social institutions should come

together to examine Slovak laws on political party financing and recommend changes during a non-election period.

Provisions should be established to increase transparency in the campaign process and level the playing field. A system of campaign finance and expense disclosure should be adopted. Under a simplified process, the sources of campaign revenue and the expenditures from a campaign would be revealed in a series of disclosure reports released to the Slovak Election Commission as a public document on a schedule of days: 30 days prior, 10 days prior, and 30 days after election day.

III.B. Role of the Media in the Electoral Process

III.B.1. Media Access

Solicitation of support from the voting public and encouraging large political campaigns to increase candidate name identification requires heavy media exposure and unlimited access by political parties and candidates. Slovak political campaigns must be able to use mass media outlets up to the day of the elections. Access should be dependent upon financial capability and available media outlets.

Legal restrictions on the amount, type and time period permitted for political campaigns should be seriously examined by both the legal system and the Parliament. Restrictions on media access should not be a consideration in a political campaign. All political parties must have the opportunity to offer their ideas for improving government and to compete with each other and with the ruling coalition.

Election related information, involving provisions of the election law, election dates, voters list information, and the location of polling stations, should be disseminated freely by all media within Slovakia. Election information for media consumption should be organized into accurate and understandable packages for dissemination. An election news service and Internet Web site could be established to provide the media with legal, technical, and campaign-related information about the elections. The news service could provide information in hard copy through dispatches and press releases and also by electronic means through e-mail, a web-site, video, and audio actualities.

Newspapers and broadcast media must be permitted and encouraged to make editorial endorsements. Newspaper and broadcast associations can be instrumental in conveying this message. Workshops and exchanges for journalists are also helpful. Organizations such as the Center for Independent Journalism in Bratislava may be a valuable resource for showing journalists the need for increased involvement in political campaigns, and especially, the utility of political endorsements in any political campaign.



Much more work needs to be done to familiarize Slovak media representatives with the methods news media outlets function in an open society. This is not just necessary for journalists, but also for staff and particularly those who own or control operations of the media outlets. Journalists for the most part, are not operations decision makers in their organization. Changes that need to be made with regard to media access must also have the imprimatur of owners and department heads as well as journalists.

Additional specific improvements could include:

1. Measures should be taken to ensure increased availability of media access for all political parties with a reasonable chance of winning seats. While such a distinction may be difficult to make, past electoral experience could be taken into account;
2. A code of conduct for media coverage of the campaign period should be established to help ensure fair and accurate coverage. An independent adjudicative body to consider election-related complaints should also be considered to enforce the code of conduct.

III.C. Non-governmental Organizations

The Slovak NGO community is a great resource for contacting large segments of Slovak society. Each segment of society is represented by any number of NGOs. NGOs can be of great assistance in voter education efforts and reach even the most remote parts of the population. The NGO community can be an important channel to the development of a nation-wide civic action plan. The organizations could be instrumental in designing outreach projects and in carrying out such efforts. Slovakia has great need for voter education in the upcoming September 1998 elections. With an active plan to coordinate the effort, the Third (Civic) Sector can educate and influence large numbers of the Slovak population.

One such effort might be a guide for voter education distributed to all Slovak NGO leaders. SAIA-SCTS is a unique resource in that the organization maintains close ties with the larger portion of the Slovak NGO community. The organization could be an important starting point for contacting large numbers of NGOs that could fulfill important roles in educating large segments of Slovak society. The organization appears to be ready to assist in whatever manner it can to help provide materials and education efforts to both NGO leaders and the general population.

Although there are many NGOs interested and active in election-related activities from process monitoring to training, they are constricted by legal, social, and financial burdens. The following efforts should be made to allow these organizations to function more freely:



1. Legal provisions concerning the registration and regulation of domestic non-profit organizations should be simplified and clarified;
2. Public education on the role of the non-governmental community and the importance of volunteerism in the election process should be undertaken to reduce prejudice and increase popular involvement in the process;
3. There appear to be many worthwhile election-related projects involving information, training, and monitoring which should be encouraged through partnerships by working with the international community and through increased coordination among domestic groups, as well as through direct funding. Roundtables for interested NGOs should be supported or possibly an even a more formal association created to foster more election education projects;
4. Voter education and information materials developed by the Government of Slovakia and other actors should be distributed to NGOs as well as through classical channels of dissemination. Similarly, materials developed for pollworkers and election officials should also be made available to the civic groups and the general public, including secondary schools and universities.

III.D. Voter Information

There is both a need and potential for increasing voter awareness and voter initiative in the electoral process, particularly targeted toward such traditionally disadvantaged groups as youth, women, minority groups, and the poor. Such projects, however, would generally have to occur outside of Government-controlled structures, requiring increased levels of coordination and flexibility. The first step should be to identify specific segments of the population that are in particular need of increased attention and the type of education needed. Voter information programs conducted by political parties, NGOs, and various media outlets should also be encouraged.

There are several political parties, NGOs, and media outlets that are interested in, or have already begun preparing these types of projects. Greater coordination among these organizations and media outlets needs to be facilitated to encourage adequate coverage of voter information materials and programs. An association of NGOs involved in these projects could also network and discuss targeted audiences and messages.

IV. Recommendations for International Support

Throughout this report, several areas have been identified where the international community could play a constructive role in supporting the development of pluralism and democracy in Slovakia. The

active role of the international community and strong civic interest and organization across the country appear to have opened a window of opportunity for many sectors of Slovak society to affect positive, systemic change in the electoral process. While the extent and intensity of possible international involvement is at the moment unknown, it is clear that international monitoring and assistance in the upcoming elections should be extensive, active, and long-term. The international community could provide support for the election process both by providing targeted electorally-oriented assistance and by encouraging the current structures to strengthen the integrity of the process and increase transparency.

V.A. International Election-Oriented Assistance

Based on the findings in this assessment, the international community should focus their assistance on the following areas of the election process:

1. Proposed short-term, politically motivated changes to the electoral and related laws should be strenuously challenged by domestic and international actors;
2. Voter awareness initiatives should be promoted by identifying target groups and effective projects, producing relevant materials, and initiating republic-wide programs. This should be accomplished through coordination with political parties and through partnerships and direct funding of NGOs and media outlets;
3. Greater domestic involvement over the control of the process should be facilitated by creating and disseminating training materials, and the provision of additional training to Polling Place Election Committee members who serve some 5,840 stations;
4. Long-term monitoring of both the overall election process and key events, such as the compilation of voters lists the nomination and registration of candidates, the appointment of election commissions, administration of elections, and the adjudication of grievances, should be undertaken;
5. Long-term monitoring of both the private and public media, including direct coverage of campaigns, access to media by political parties and candidates, and use of the media to disseminate election related information should also be conducted;
6. The Slovak Election Commission should be encouraged to take a decision allowing the presence and participation of third-party domestic observers in a manner consistent with similar European standards. Civic groups, NGOs, and political parties should be provided training and materials to prepare monitors to effectively recognize inconsistencies in the

voting process;

7. Given the level of concern voiced regarding security of the vote, a general or targeted parallel vote count should be considered, to be organized by the international community and administered by local domestic, civic, or political party observers.

IV.B. International Political Support

The international community should complement its assistance efforts by encouraging the current structures in Slovakia to strengthen the integrity of the process and increase transparency. In particular, the international community should do the following:

1. Support must be provided to international entities and organizations conducting programs in Slovakia in order to assure their security and ability to conduct their work. Particular support should be provided for both long- and short-term international observation of the election process, thereby increasing the integrity of the elections;
2. The Government and the HZDS should be encouraged to sit down with the major opposition parties and discuss election related issues. Long-term international observers may serve as intermediaries and facilitate such a dialogue;
3. It should be of primary importance to discourage changing the system of representation and the current delimitation of electoral districts when considering a new electoral code;
4. The voter lists should be made open to general public scrutiny immediately so that they may be brought up to date and to increase the overall transparency of the process;
5. The continued growth of the independent media should be encouraged. Likewise excessive regulation of the media inhibiting such growth should be discouraged.

FOUR CONCLUSION

The current environment in Slovakia provides excellent opportunity for IFES and the international community to help in stabilizing the democratic system. Slovakia has a variety of strong aspects to its democracy, including the established election administration and its well-organized civic



community, indicating the potential for a strong democratization process. Areas which directly require constructive redress include the issues of Hungarian and Roma minorities, and the government's overshadowing of press and the opposition political parties. The preservation and refinement of the existing electoral system is an important factor in the maintenance of a democratic pluralist framework for the country.

International assistance to Slovakia must focus on alleviating problems within the election process systemically, as opposed to short-term and reactionary measures. Through a more open and democratic election process, the minority community, as well as the opposition political parties, will have more of an opportunity to develop their role in the Slovak political landscape.

Slovakia is currently at a crossroads; the decisions made by the Slovak government as well as the international community will be instrumental in the development of a democratic Slovakia. IFES is confident that we can do much to help in this development through the facilitation of effective and representative elections and thereby, through the facilitation of equal opportunity for all to become involved in the public political process.

FIVE ATTACHMENTS

- A. Biographical Information on Assessment Team**
- B. List of Meetings**
- C. Constitution of the Slovak Republic**
- D. Slovak Electoral Codes**
 - 1. Parliamentary Election Law**
 - 2. Municipal Election Law**

ATTACHMENT A:

Biographical Information of Assessment Team

Alexander T. Knapp

Program Officer - Central and Eastern Europe
International Foundation for Election Systems

Alexander Knapp is the Program Officer responsible for management and development of projects in the Central and Eastern European region. He has worked for IFES on projects in Bosnia, Croatia, Albania and the Federal Republic of Yugoslavia and acts as the chief point of contact for the Organization for Security and Cooperation in Europe (OSCE) and other European multi-lateral organizations. In addition to his management experience, he has directed logistics and training of election observers with the OSCE and the United Nations, and served as the Assistant to the OSCE Director-General of Election Administration during the 1996 Bosnian Presidential and Parliamentary Elections. Prior to IFES, Mr. Knapp worked for the OSCE Conflict Prevention Centre in Vienna, Austria and with the OSCE Mission to Bosnia and Herzegovina. He holds a graduate degree in International Law from the University of Vienna, and a bachelor's degree in Conflict Analysis and Resolution from The American University in Washington D.C.

Paul DeGregorio

Election Law/Administration Specialist

Paul DeGregorio served an eight-year term as Director of Elections in St. Louis County, Missouri and has since been recognized by IFES and other organizations to be an expert in technical aspects of the election process, including international assistance and observation in many of the new and established democracies of the world including: Russia, Kazakhstan, Moldova, Romania, Albania, Macedonia, China, Cambodia, Thailand and Japan. As Chairman of the Education and Training Committee of the International Association of Clerks, Records, Election Officials and Treasurers (IACREOT), DeGregorio has been on the forefront of improving the election administration process in the

United States and the world. He has hosted several international delegations during their fact-finding missions to the United States. DeGregorio has written extensive Pre-Election Technical Assessments of the election process in several countries which have included recommendations for statutory and administrative improvements and the development of professional election administration organizations. DeGregorio has a Bachelor of Arts degree in Political Science from the University of Missouri-St. Louis and an Associate in Liberal Arts from St. Louis Community College.

Ronald Sereg

Civic Education and Media Specialist

Ronald Sereg assists in teaching mass communications classes and is a lecturer in public relations at Central Missouri State University in Warrensburg, Missouri. He has more than 25 years experience in mass communications and public relations. He has directed public relations for a national medical foundation and has recently served as a public relations consultant for the Foundation for a Civil Society and the Democracy Network Program in Eastern Europe where he assisted in the transfer of communication skills to the region's nascent non-governmental organizations. He has been a communications consultant for a national public affairs firm, and has worked for more than ten years in political communications and as both a staff and campaign communications director for members of the United States Congress. He has also served as project communication advisor as a Peace Corps Volunteer in Colombia, South America. He holds a bachelor of science degree in journalism from Southern Illinois University and a master of arts in international communication and public relations from Central Missouri State University.



ATTACHMENT B:

List of Meetings

**Pre-Election Technical Assessment in the Slovak Republic
Conducted by the International Foundation for Election Systems**

Government Ministries and Agencies

Ministry of Interior: Elections Department
Ministry of Interior: Public Administration Section
National Council of the Slovak Republic
- Committee on Ethics
- Committee on Parliamentary Conflicts
Parliamentary Institute
Slovak Academy of Sciences
Statistical Office of the Slovak Republic
Slovak Constitutional Court
Office of Radio and TV Broadcasting

Political Parties

Slovenska Narodna Strana
Democratic Union of Slovakia
Slovak National Party
Movement for a Democratic Slovakia
Hungarian Civic Party
Christian Democratic Party
Association of Workers of Slovakia

Non-Governmental Organizations

Institute for Public Affairs
Milan Simecka Foundation
Open Society Foundation
Sandor Marai Foundation
Slovak Academic Information Agency
The Foundation for Civil Society
IREX/ProMedia
Mesa 10
Office of Legal Protection for Ethnic Minorities
Forum Institute for Social Studies
APEL Foundation

The Good Romany Fairy Kesaj Foundation
Helsinki Committee

Local Authorities

Vice Mayor of the City of Bratislava
Mayor of Kosice
Vice-Mayor of Rozhanovce

Media Outlets

Dennik SME
NAP (Dunajska Streda)
Radio Twist

**International Organizations and Governmental
Agencies**

Austrian Embassy
British Embassy
Canadian Embassy
Embassy of the United States
Italian Embassy
Royal Netherlands Embassy
US Agency for International Development

Other

The Krizan Family
State Orphanage, Nizna Kamenica
Slovak Literature Institute
Former Members of Constitutional Court
Former Member of Central Election Commission
Former Members of Parliament
Romani Actors Group, Kosice

ATTACHMENT C:

CONSTITUTION OF THE SLOVAK REPUBLIC

The Constitution of Slovakia

Approved Sept. 1, 1991

Chapter 1

Section One: Fundamental Provisions

We, the Slovak Nation, mindful of the political and cultural heritage of our forefathers and of hundreds of years' experience in the struggle for our national existence and statehood, in the spirit of St. Cyril and St. Metod's tradition, and out of the legacy of the Great Moravian Empire, based on the natural right of nations to their self-determination, together with the members of national minorities and ethnic groups living in the territory of the Slovak Republic, in the interest of everlasting and peaceful cooperation with other democratic countries, striving to exercise democratic forms of government, striving to guarantee a free life and development of our spiritual culture and economic prosperity, therefore we, the citizens of the Slovak Republic herewith resolve, through our representatives, to establish this Constitution.

Article 1

1. The Slovak Republic is a democratic and sovereign state ruled by the law. It is bound neither to an ideology, nor to a religion.

Article 2

1. The power of the State comes from the people who exercise it either through their representatives or directly.
2. The State authorities shall act only on the basis of the Constitution and to the extent and in the manner which will be stipulated by law.
3. Everybody is free to do anything that is not prohibited by law and nobody shall be forced to do something that is not imposed by law.

Article 3

1. The territory of the Slovak Republic is integrated and indivisible.
2. The border of the Slovak Republic can only be changed by a constitutional act.

Article 4

1. Natural wealth, underground water sources, natural healing springs and rivers are under the ownership of the Slovak Republic.

Article 5

1. The conditions for naturalization or deprival of State citizenship of the Slovak Republic will be regulated by law.

2. No person shall be deprived of citizenship of the Slovak Republic against his own will.

Article 6

1. The Slovak language is the State language in the territory of the Slovak Republic.
2. The use of languages other than the State language in administrative relations will be regulated by law.

Article 7

1. The Slovak Republic may, by a free decision, enter a union with other states. The right of secession from such a union shall not be restricted. The joining of a union with other states or the secession from such a union shall be decided by a constitutional law and consequent referendum.

Article 8

1. The State symbols of the Slovak Republic are the State emblem, State banner, State seal and the State anthem.

Article 9

1. The State symbol of the Slovak Republic depicts a red shield of early-Gothic shape with a silver archiepiscopal cross erected atop the highest of the three blue hillocks placed in the lower third of the shield.
2. The State banner of the Slovak Republic is composed of three equal parallel horizontal stripes in white, blue and red, one below the other in that order from the top. The State symbol is placed in the middle of the upper half of the banner.
3. The State symbol of the Slovak Republic is composed of the State emblem encircled by the inscription: 'Slovenska republika'.
4. The State anthem of the Slovak Republic comprises the first two strophes of the song 'Nad Tatrou sa blýska,'
5. Other details concerning the State emblem, State banner and the State seal shall be specified by law.

Article 10

1. Bratislava is the capital of the Slovak Republic.
2. The position of Bratislava as the capital of the Slovak Republic will be stipulated by law.

Chapter 2: General Rights and Freedoms

Section One: General Provisions

Article 11

1. The international agreements on human rights and basic freedoms which were ratified by the Slovak Republic and which have been declared legal, take precedence over its laws whenever they guarantee a wider scope of constitutional rights and freedoms.

Article 12

1. The people are free and equal in their dignity and rights. The basic rights and freedoms are inalienable, imprescriptible and irreversible.
2. The basic rights and freedoms are guaranteed to every person in the territory of the Slovak Republic irrespective of sex, race, color, language, faith and religion, political and other views, national or social origin, nationality or ethnic origin, wealth, heritage or social position. On these grounds, no person shall be persecuted, favored or discriminated against.
3. Every person may freely decide his nationality. The decision in this respect must not be influenced in any way. Any form of pressure directed toward denationalization is prohibited.
4. The exercise of basic human rights and freedoms must not be detrimental to the rights of any person who exercises them.

Article 13

1. Duties may be imposed only on the basis of law, within the limits of law, at the same time respecting the basic rights and freedoms.
2. The limitation of the basic rights and freedoms may be stipulated on conditions specified in this Constitution only by law.
3. Any legal restriction of the basic rights and freedoms must have the same effect in all cases which comply with the legally designated conditions.
4. Whenever a restriction will be enforced against the basic rights and freedoms, their substance and sense must be respected. Such a restriction may be used only for specific purposes.

Section Two: Basic Human Rights and Freedoms

Article 14

1. Every person is eligible for rights.

Article 15

1. Everyone has the right to live. Human life is worthy of protection even before birth.

2. No person shall be deprived of life.
3. Capital punishment is unacceptable.
4. The rights enforced by this article are not infringed upon if a person is deprived of his life by a legally unpunishable action.

Article 16

1. Inviolability of persons and their privacies is assured. It may be limited only in cases specified by law.
2. No person shall be tortured, nor be subject to cruel, inhuman or humiliating treatment or punishment.

Article 17

1. Personal freedom is guaranteed.
2. No person shall be prosecuted or deprived of freedom other than for reasons and in the manner ordained by law. No person shall be deprived of freedom exclusively because of his inability to discharge contractual obligation.
3. A person accused or suspected of a crime shall be detained only in cases ordained by law. The detainee shall be informed of the reasons of detention immediately, interrogated within twenty-four hours at the latest, and set free or forwarded to the court. The judge must hear the person accused within twenty-four hours from the time the accused has been handed over to the court, and put the accused in custody or set the accused person free.
4. No person accused shall be taken into custody without a well grounded injunction issued by a judge in writing. A person held in police custody shall be committed to court within twenty-four hours. The judge must hear the person accused within twenty-four hours from the time the accused has been committed to the court, and put the accused in custody or set the person accused free.
5. A person shall be taken into custody only for legally ordained reasons and duration.
6. The law shall stipulate the cases in which a person may be taken into or kept in the care of a mental hospital without the person's consent. Such a provision shall be announced to the court within twenty-four hours and the court shall justify or abolish it within five days.
7. Any examination of the mental health of a person accused of a criminal offense is possible only on the basis of a written injunction issued by a court.

Article 18

1. No person shall be submitted to involuntary work or servitude.
2. The provision of paragraph 1 does not apply to:

- a. the works ordained by law to persons serving sentence in prison or to persons in punitive service which substitutes imprisonment;
- b. military service or other service ordained by law in substitute of compulsory military service;
- c. services ordained by law in the case of a natural disaster, accident or other situations endangering human lives, health or considerable property values;
- d. activities ordained by law to protect lives, health of people's rights.

Article 19

1. Every person is entitled to the preservation of his human dignity, personal honor, reputation and to the protection of his name.
2. Every person is entitled to demand protection against unjustified interference in his private and family life.
3. Every person has a right to demand protection against unjustified obtaining, publishing and/or any other forms of misuse of personal data.

Article 20

1. Every person has the right to own property. The ownership rights of all owners are equal and have equal protection. Inheritance is guaranteed.
2. The law will specify which property values - in addition to those quoted in Article 4 of this Constitution - necessary to satisfy the needs of society, to support the development of the national economy or those in the public interest, shall be exclusively owned by the State, municipalities or certain legal persons. At the same time, the law may ordain that some property shall be exclusively owned by the citizens or legal persons residing in the Slovak Republic.
3. Ownership is an obligation. It shall neither be misused to the detriment of others nor used at variance with general interests protected by law. The exercise of this law must not damage human health, nature, historic monuments and the environment over legally accepted limits.
4. Expropriation or forced limitation of ownership rights is possible only in the public interest and may only be executed on the basis of a law of fair compensation.

Article 21

1. The place of abode is inviolable. It shall not be entered without the consent of its dweller.
2. Home search is acceptable only for the purpose of a criminal investigation or judicial proceedings. It can be made only on the basis of a search warrant issued by a judge in writing. The manner of the execution of a home search shall be regulated by law.

3. Other infringements of the home inviolability shall be legal only if they are, in a democratic society, necessary for the protection of lives, health and personal freedom of other persons or if they are necessary to avert serious danger to public order and security. Should a dwelling or residence also be used for business purpose or for other economic activities, such an infringement shall be legal if it is necessary for the public administration to perform its function.

Article 22

1. The secrecy of correspondence, transferred news and other written documents as well as the protection of personal data is guaranteed.
2. No person shall break the secrecy of correspondence nor the secrecy of other written documents and records which are either kept in privacy or sent by mail or other means of transmission, except for cases specified by law. Also guaranteed is the secrecy of the news transmitted via telephone, telegraph or similar device.

Article 23

1. The freedom of migration and the freedom of domicile are guaranteed.
2. Every person staying legally in the territory of the Slovak Republic has the right to leave it freely.
3. The freedoms listed in paragraphs 1 and 2 may be legally restricted if such a restriction is necessary for the security of the State or necessary to maintain public order, to protect health or rights and freedoms of other persons and, in certain areas, to protect nature.
4. Every citizen has the right to enter the territory of the Slovak Republic without restrictions. No citizen shall be forced to leave his homeland. No citizen shall be expelled or sent out to other countries.
5. Foreigners may be expelled only in cases ordained by law.

Article 24

1. The freedom of thought, conscience, religion and creed are guaranteed. This right also includes the possibility to change one's religious affiliation or creed. Every person has the right to be religiously indifferent. Every person has the right to express this thoughts freely.
2. Every person has the right to practice his religion privately or in public, individually or with others, through religious masses, offices or education.
3. Churches and religious communities shall administer their affairs themselves having the right to establish their authorities, to appoint their clerical officials and to found religious orders and other institutions independent of State authorities.
4. The exercise or the rights listed in paragraphs 1, 2 and 3 of this Article may be restricted by law only if such restriction is, in a democratic society, necessary for the protection of public security and order, the health and morality of people, or if the rights and freedoms of other persons are jeopardized.

Article 25

1. The defense of the Slovak Republic is a matter of honor for every citizen.
2. No person shall be forced to serve in the Army if this duty is at variance with his conscience or religious affiliation. The details will be specified by law.

Section Three: Political Rights

Article 26

1. The freedom of expression and the right to information are guaranteed.
2. Every person has the right to express his opinions orally, in writing, in pictures, through the Press or in other ways, as well as the right to seek, receive and communicate ideas and information regardless of the State frontier. The Press is not subject to State authority. Business activities in radio and television broadcasting may be subject to State authorization. The law will specify other details.
3. Censorship is prohibited.
4. The freedom of speech and the right to seek and broadcast information may be restricted by law if such a restriction is, in a democratic society, necessary for the protection of the rights and freedoms of other persons, for the security of the State and public, and for public health and morality.
5. The State central authorities and the authorities of regional administrations must provide information about their activities in a reasonable manner and in State language. The conditions for the execution of this paragraph will be set by law.

Article 27

1. The right to petition is guaranteed. Every person, either individually or in collaboration with others, has the right to petition the State authorities and the authorities of regional administrations, to submit proposals and to lodge complaints.
2. No petition shall appeal for the infringement of basic human rights and freedoms guaranteed herein.
3. No petition shall infringe on the independence of the courts.

Article 28

1. The right to assemble peacefully is guaranteed.
2. This right may be restricted by law when an assembly is held in a public place or whenever such a restriction is, in a democratic society, necessary for the protection of the rights and freedoms of other persons, for the protection of public order, health and morality,

property, or whenever the security of the State requires so. The holding of an assembly shall not be subject to the authorization by the authority of public administration.

Article 29

1. The right to unite freely is guaranteed. Every person has the right to be a member of a union, community, society or any other association.
2. The citizens have the right to found political parties and movements and unite among themselves.
3. The exercise of the rights specified in paragraphs 1 and 2 may be legally restricted only in the cases specified by law if such a restriction is, in a democratic society, necessary for the security of the State, for the protection of public security and public order, or whenever it serves to avert crime or to protect the rights and freedoms of other persons.
4. Political parties and movements, as well as other associations are separate from the State.

Article 30

1. The citizens have the right to participate in the administration of public affairs either directly or through the free election of their representatives.
2. The election terms must not exceed regular election terms ordained by law.
3. The right to vote is universal, direct and equal. It is exercised through a secret ballot. The conditions for the exercise of the voting right will be set by law.
4. The conditions for citizens' access to elected functions and other public posts are equal.

Article 31

1. All political rights and freedoms shall be legally established, explained and exercised in such a manner that will facilitate and protect the free competition of political forces in a democratic society.

Article 32

1. The citizens have the right to oppose anyone who would attempt to remove the democratic order of the human rights and basic freedoms cited in this Constitutions, whenever the activities of constitutional bodies and the use of legal means are precluded or not available.

Section Four: The Rights of National Minorities and Ethnic Groups

Article 33

1. The membership in any national minority or ethnic group whatsoever must not be detrimental to any person.

Article 34

1. The universal advancement of citizens who are members of national minorities and ethnic groups shall be assured, first of all the right to develop their own culture with other members of the national minority, the right to broadcast and receive information in their mother tongue, the right to unite themselves in national associations and the right to found and maintain educational and cultural institutions. The law shall specify other details.

2. Respecting the conditions ordained by law, the citizens who belong to national minorities and ethnic groups, in addition to the right to acquire their mother tongue, are also legally entitled:

- a. to education in their mother tongue;
- b. to use their language in administrative relations;
- c. to participate in the solution of issues concerning the national minorities and ethnic groups.

3. The exercise of the rights of the citizens who belong to national minorities or ethnic groups, and which are guaranteed by this Constitution, must not lead to the breach of integrity of the Slovak Republic or to discrimination against other citizens in Slovakia's territory.

Section Five: Economic, Social and Cultural Rights

Article 35

1. Every person has the right to a free choice of profession and vocational training as well as to do business and perform other commercial activities.

2. The conditions and restrictions for certain occupations or activities may be specified by law.

3. Citizens have the right to work. Those who cannot exercise this right through no fault of their own shall obtain adequate material aid from the State. The conditions of this are stipulated by law.

4. The law may impose different regulations for foreign citizens concerning their rights under paragraphs 1 to 3.

Article 36

1. Employees are entitled to fair and satisfactory working conditions. The law ensures particularly:

- a. the right to work and to be remunerated sufficiently enough to keep an adequate living standard;

- b. protection against arbitrary dismissal and discrimination;
- c. safety regulations and protection of health at work;
- d. the maximum number of working hours;
- e. adequate rest after work;
- f. the minimum allowable term of paid leave for recuperation;
- g. the right to collective negotiation.

Article 37

1. Every person is entitled to form a free association with others to protect his economic and social interests.
2. Trade unions are independent of the State. It is inadmissible to limit the number of trade unions or to give preference to some of them within a company or economic sector.
3. The activities of trade unions and other associations established for the protection of economic and social interests may be restricted by law in cases when necessary measures have to be taken for the protection of democracy, State security, public order or the rights and freedoms of others.
4. The right to strike is guaranteed. The conditions will be fixed by law. Judges, public prosecutors, members of the armed forces, police corps and fire brigades do not have this right.

Article 38

1. Women, juveniles and handicapped or disabled persons are entitled to an increased protection of health at work and to special working conditions.
2. Juveniles and handicapped persons are entitled to special protection of health at work and to assistance in their occupational training.
3. Details concerning the rights listed under paragraphs 1 and 2 will be specified by law.

Article 39

1. Every citizen is entitled to adequate old-age benefits, disability benefits and widow's allowances.
2. Every person who is in financial difficulty has a right to such support which is necessary to assure his basic living standard.
3. Details are specified by law.

Article 40

1. Every person is entitled to health protection. On the basis of public insurance, citizens are entitled to free health care and sanitary aids on conditions fixed by law.

Article 41

1. Marriage, parenthood and the family are protected by law. Children and juveniles are under special legal protection.
2. Special care, protection at work and adequate working conditions are guaranteed for women during pregnancy.
3. Children born of a marriage and those born out of wedlock have equal rights.
4. The care and rearing of children is the right of their parents. The children are entitled to parental care and upbringing. The rights of parents may be restricted and juveniles may be separated from their parents against the parents' will only by the decision of the court according to law.
5. Parents who provide for their children are entitled to support from the State.
6. Other details concerning the rights under paragraphs 1 to 15 will be specified by law.

Article 42

1. Every person has a right to education. The compulsory school age is determined by law.
2. Citizens are entitled to free elementary and secondary education, and to higher education according to their individual abilities and the possibilities of society.
3. The establishment of private schools is only possible on conditions fixed by law. These schools may provide education for school fees.
4. The conditions on which citizens are entitled to State support during their studies are specified by law.

Article 43

1. The freedom of scientific research and the arts is guaranteed. The right to the results of creative intellectual activity is protected by law.
2. The right to access to our cultural heritage is guaranteed on conditions fixed by law.

Section Six: Care of the Environment and Cultural Heritage

Article 44

1. Every person has the right to a favorable environment.

2. Every person is obliged to protect and cultivate the environment and cultural heritage.
3. Nobody may endanger or damage the environment, natural resources and cultural monuments beyond the limits stipulated by law.
4. The State shall provide for an efficient utilization of natural resources, a balanced ecology, and an effective protection of the environment.

Article 45

1. Every person has a right to complete and current information on the condition of the environment and the causes and consequences of this State.

Section Seven: Right to Judicial and Other Legal Protection

Article 46

1. Every person may assert his right in a way fixed by law in an independent and impartial court or, in cases specified by law, at other institutions of the Slovak Republic.
2. Unless the law stipulates otherwise, anybody who claims to have suffered injustice by a decision of an administrative body may appeal to the court of reconsider that decision. The reconsideration of decisions concerning the basic rights and freedoms shall not be excluded from the powers of the court.
3. Every person is entitled to compensation for damages caused to him by an unlawful decision of the court or other body of State administration, or by an incorrect official procedure.
4. The conditions and details for judicial and other legal protection will be specified by law.

Article 47

1. Every person is entitled to refuse to give evidence by which he could expose himself or a person close to him to the danger of being prosecuted.
2. Every person is entitled to legal assistance in judicial proceedings in court, or before other bodies of State administration from the very beginning of the legal process under conditions fixed by law.
3. All participants in legal proceedings are equal.
4. If a person declares he does not speak the language in which the legal process is conducted, he is entitled to an interpreter.

Article 48

1. No person shall be taken away from his legally appointed judge. Appurtenance to the court will be ruled by law.

2. Every person is entitled to a public hearing without unnecessary delay in his presence so that he may react to the evidence given by witnesses. The public may be excluded only in cases fixed by law.

Article 49

1. Only the law can determine which acts are criminal offenses and what punishment, or penalty, may be inflicted on the perpetrator.

Article 50

1. The verdict and punishment for a criminal offense may only be judged by a court of justice.
2. Every person standing for trial in court is considered to be innocent until he is declared guilty by a legally valid verdict of the court.
3. The accused is entitled to have the time and possibility to prepare his defense and to defend himself personally or to engage a counsel for his defense.
4. The accused is entitled to refuse to give evidence and he cannot be deprived of this right in any way.
5. No person shall be prosecuted for a criminal offense for the commitment of which he was already sentenced or acquitted. This principle does not exclude the possibility of using extraordinary amendments in accordance with the law.
6. A criminal offense is judged and the punishment is inflicted according to the law which was in force at the time the offense was committed. A law enacted later is only applied if it is more favorable for the perpetrator.

Section Eight: Common Provisions Concerning Chapters One and Two

Article 51

1. The rights under Articles 35 and 36, Article 37, paragraph 4, Article 38 to 42 and Articles 44 to 46 of this Constitution may only be claimed within the range of the laws which put these rights into force.

Article 52

1. The term 'citizen' used in Chapter One and Two of this Constitution refers to a citizen of the Slovak Republic.
2. Foreigners in the Slovak Republic have all the human rights and basic freedoms guaranteed by this Constitution, unless they are exclusively granted to citizens of the Slovak Republic.

3. The term 'citizen' used in legal regulations refers to every person in the case of freedoms and rights guaranteed by this Constitution regardless of citizenship.

Article 53

1. The Slovak Republic grants the right of asylum to foreigners persecuted for the exercise of their political rights and freedoms. Those who acted in contradiction with the basic human rights and freedoms may be refused the right of asylum.

Article 54

1. The law may restrict the right of judges and public prosecutors to private business and other economic activity and the rights under Article 29 paragraph 2; the right of employees of the State administration and regional self-governments in leading positions, which are also determined by the rights under Article 37 paragraph 4. The rights of members of the armed forces and police corps under Articles 27 and 28 may be restricted if they are related to the performance of their duties. The law may restrict the right to strike in the case of occupations which are necessary for the protection of human life and health.

Chapter 3

Section One: Economy of the Slovak Republic

Article 55

1. The economy of the Slovak Republic is based on the principles of a socially and ecologically oriented market economy.
2. The Slovak Republic shall protect and support free economic competition. The law will specify other details.

Article 56

1. The Slovak Republic will establish its central bank. The law will specify other details.

Article 57

1. The Slovak Republic is one customs territory.

Article 58

1. The fiscal policy of the Slovak Republic is based on the national State budget. The State budget shall be adopted by law.
2. Budgetary revenues, budgetary rules and the relations between the national budget and local budgets will be regulated by law.
3. The Government may, for specific purposes and under legally specified conditions, create State-budget funds.

Article 59

1. Taxes and other fees are collected locally or nationally.
2. Taxes and fees may be imposed only on the basis of law.

Section Two: Supreme Bureau of Inspection

Article 60

1. The Supreme Bureau of Inspection is an independent body which supervises the administration of budgetary means, State property, ownership rights and claims of the State.

Article 61

1. The Supreme Bureau of Inspection is led by a Chairman. The Chairman and the Vice Chairmen of the Supreme Bureau of Inspection are elected and recalled by the National Council of the Slovak Republic.
2. Every citizen of the Slovak Republic who may be elected to the National Council of the Slovak Republic is eligible for the post of the Chairman of the Supreme Bureau of Inspection.
3. No Chairman of the Supreme Bureau of Inspection shall be elected to more than two consecutive five-year terms.
4. The Office of Chairman and Vice Chairman of the Supreme Bureau of Inspection is incompatible with any other office in the State administration, territorial self-government or as an authority for a legal person active in business.

Article 62

1. The Supreme Bureau of Inspection shall submit its report on the results of inspection to the National Council of the Slovak Republic at least once a year.

Article 63

1. The authority, legal power and internal structure of organization will be specified by law.

Chapter 4: Territorial Self-Administration

Article 64

1. The municipality is the basic unit of territorial self-administration.
2. The municipality is an independent territorial and administrative unit of the Slovak Republic, which associates persons permanently resident on its territory.
3. The self-administration of territorial units on higher levels will be regulated by law.

Article 65

1. The municipality is a juridical entity which administers its own property and financial means under legally specified conditions.
2. Municipalities cover their financial needs preferably from their own revenues as well as from State subsidies. The law will specify which tax revenues must flow to municipal budgets. State subsidies may be claimed only within the limits of law.

Article 66

1. The municipality is entitled to make associations with other municipal units to provide for the joint administration of spheres in their common interests.

Article 67

1. Every municipality is independent in making decisions about issues relating to its territorial self-administration; any duties and/or restrictions imposed upon a municipality must be legally grounded. Issues concerning the territorial self-administration are decided at citizens' assemblies, in local referendum or through municipal authorities.

Article 68

1. The municipality may issue its own decrees and regulations in matters concerning the territorial self-administration.

Article 69

1. The following are municipal authorities:
 - a. the Municipal (City) Council;
 - b. the Mayor.
2. The Municipal Council consists of councilors. The councilors are elected directly in municipal election by a secret ballot.
3. The Mayor is elected by the citizens of the municipality on the basis of a universal, direct and equal election through a secret ballot. The Mayor is an executive authority of the municipality. He runs the municipal administration and represents his municipality externally.

Article 70

1. The law will determine the conditions for declaring a municipality a town and it will also specify the denomination of authorities in towns.

Article 71

1. Certain tasks and obligations of the State administration may be transferred under the authority of municipalities by a legal regulation. The costs of the thus transferred tasks will be covered by the State.

2. If empowered by law, a municipality may issue its own decrees and regulations within its territorial jurisdiction. The execution of the State administration transferred to municipalities will be controlled and supervised by the Government. Details will be specified by law.

Chapter 5: Legislative Power

Section One: The National Council of the Slovak Republic

Article 72

1. The National Council of the Slovak Republic is the only Constitution and law-making legislative body of the Slovak Republic.

Article 73

1. The National Council of the Slovak Republic has 150 deputies elected to a four-year term.
2. The deputies are representatives of the citizens. They exercise their mandates personally, according to the best of their conscience and convictions and are not bound by any orders.

Article 74

1. Deputies are elected in the general, equal and direct election by a secret ballot.
2. No citizen shall be elected deputy who lacks the right to vote, who does not have a permanent residence in the territory of the Slovak Republic and who has not attained the age of twenty-one years.
3. Other details concerning the election of deputies will be specified by law.

Article 75

1. Every deputy shall take the following oath at the first session of the National Council of the Slovak Republic he is attending: 'On my honor and my conscience I do promise my faith to the Slovak Republic. I shall fulfill my duties in the interest of the people. I shall obey the Constitution and other laws of the Slovak Republic and I shall strive to embody them through my work.'
2. Any deputy who refuses to take this oath or who would take it with reservations shall lose his mandate.

Article 76

1. The validity of the election of deputies is verified by the National Council of the Slovak Republic.

Article 77

1. The Office of deputy is not compatible with the office of President, no deputy shall simultaneously be a judge, prosecutor, member of police corps, a prison guard or a professional soldier or Army officer.
2. Whenever a deputy becomes a member of the Government of the Slovak Republic, his parliamentary mandate does not become extinct, it is, however, not exercised during his tenure in governmental office.

Article 78

1. No deputy shall be persecuted for his voting in the National Council of the Slovak Republic, even after his parliamentary mandate has expired. For their statements delivered in the Parliament the deputies adhere exclusively to the disciplinary jurisdiction of the National Council of the Slovak Republic.
2. Deputies shall be privileged from any criminal or disciplinary prosecution and they shall not be arrested without the consent of the National Council of the Slovak Republic. Once the National Council of the Slovak Republic withholds its consent, persecution is irrevocably terminated.
3. In the case where a deputy is accused of a crime, the authority competent will announce it to the Chairman of the National Council of the Slovak Republic. Unless the Mandate and Immunity Committee of the National Council of the Slovak Republic gives its consent to an arrest, the deputy accused must be set free without delay.

Article 79

1. Any deputy may refuse to give testimony about whatever he has learnt during the execution of his parliamentary office even after he ceases to be a member of the National Council of the Slovak Republic.

Article 80

1. Any deputy may interpellate the Government, individual members of the Government or the heads of other central authorities of the State administration in issues within their respective jurisdiction. The deputy must receive an answer to his interpellation within thirty days.
2. Every answer to interpellation will be discussed at the session of the National Council of the Slovak Republic. The discussion may result in a vote of censure to the respondent.

Article 81

1. The deputy may give up his parliamentary mandate. The mandate of a deputy becomes extinct if he is sentenced for an exceptionally serious and intentional criminal offense.

Article 82

1. The National Council of the Slovak Republic is in a continual session.
2. The constituent session of the National Council of the Slovak Republic will be called by the President within thirty days from the date of the official declaration of the election results. Should he fail doing so, the National Council of the Slovak Republic shall convene itself on the thirtieth day from the official declaration of the election results.
3. The National Council of the Slovak Republic may adjourn its session by resolution. Any adjournment must not be longer than four months in one calendar year. During the adjournment, the Chairman, Vice Chairmen and Committees of the National Council of the Slovak Republic execute their office.
4. During the adjournment, the Chairman of the National Council of the Slovak Republic may call the session of the Parliament also before the originally scheduled date of resumption. He shall do this whenever the Government or at least one-fifth of the deputies require it.
5. The National Council of the Slovak Republic closes its session at the end of its election term or on the date of its dissolution.

Article 83

1. The meetings of the National Council of the Slovak Republic are called by its Chairman.
2. The Chairman of the National Council of the Slovak Republic must call the session of the National Council of the Slovak Republic whenever at least one-fifth of the deputies require it. In this case, the Chairman must call the session within seven days.
3. The sessions of the National Council of the Slovak Republic are open to the public.
4. The sessions of the National Council of the Slovak Republic may be closed to the public only in the cases stipulated by law or whenever a decision to exclude the public is supported by a three-fifths majority of all deputies.

Article 84

1. The National Council of the Slovak Republic has a quorum only if more than a half of all its deputies are present.
2. The resolution of the National Council of the Slovak Republic is effective only if more than half of the deputies present vote for it, unless this Constitution stipulates otherwise.
3. The support of at least a three-fifths majority of all deputies is required to adopt or amend this Constitution or and Constitutional law, to elect or to recall the President and to declare war on another state.

Article 85

1. If the National Council of the Slovak Republic or any of its authorities requires so, any

member of the Government and any head of the central authority of State administration must attend the session of the National Council of the Slovak Republic or the session of its authority.

Article 86

1. The National Council of the Slovak Republic has the power to:

- a. adopt the Constitution, constitutional and other laws and supervise their execution;
- b. elect and recall the President of the Slovak Republic by a secret ballot;
- c. adopt a constitutional law on joining a union of states and on the abrogation of such an agreement;
- d. decide on the proposal to call a referendum;
- e. prior to their ratification, give consent to international political agreements, international economic agreements of a general nature and to other international agreements the execution of which requires the adoption of a constitutional law;
- f. enact the establishment of ministries and other bodies of the state administration;
- g. discuss the Program of the Slovak Republic, supervise the activities of the Government and pass a vote of confidence or censure on the Government or its members;
- h. approve the State budget, supervise its accomplishment and approve the closing accounts of the state;
- i. discuss the essential questions of internal, international, economic and social policies;
- j. elect judges, elect the Chairman and Vice Chairmen of the Supreme Court, the Chairman and Vice Chairmen of the Constitutional Court and the Chairman and Vice Chairmen of the Supreme Bureau of Inspection;
- k. adopt a resolution to declare war in the Slovak Republic is attacked, or if such a declaration ensues from the obligations of international treaties which speak of a joint defense against an attack;
- l. give its consent to the mission of the armed forces of the Slovak Republic outside its territory.

Article 87

1. A bill may be submitted by the committee of the National Council of the Slovak Republic, deputies and by the Government of the Slovak Republic.

2. Any law approved by the National Council of the Slovak Republic shall be signed by the Chairman of the National Council of the Slovak Republic, the President of the Slovak Republic and the Prime Minister of the Slovak Republic.

3. If the President returns a constitutional law or a law with comments, the National Council of the Slovak Republic will discuss the constitutional law or other pertinent laws again and, if approved, such a law shall be declared legal.

4. The President of the Slovak Republic shall return the law specified in paragraph 3 with comments any time the Government of the Slovak Republic requests him to do so.

5. A law becomes effective by its declaration. Other details will be specified by law.

Article 88

1. The National Council of the Slovak Republic must discuss a proposal to put the confidence in the Government to vote whenever such a proposal is supported by at least one-fifth of all deputies.

2. A quorum of more than 50% of all deputies is needed to pass a vote of censure on the Government or its individual members.

Article 89

1. The Chairman of the National Council of the Slovak Republic is elected and recalled by a simple majority of all deputies in a secret ballot. The Chairman is responsible exclusively to the National Council of the Slovak Republic.

2. The Chairman of the National Council of the Slovak Republic:

- a. summons and presides over the sessions of the National Council of the Slovak Republic;
- b. signs the Constitution, constitutional and other laws;
- c. administers the oath taken by the deputies of the National Council of the Slovak Republic;
- d. administers the oath taken by the President of the Slovak Republic;
- e. administers the oath taken by judges, Chairman of the Supreme Court and the Chairman of the Constitutional Court;
- f. call the election to the National Council of the Slovak Republic.

3. The Chairman of the National Council of the Slovak Republic remains in office even after the election term of Parliament has expired and until the National Council of the Slovak Republic elects its new Chairman.

Article 90

1. The Chairman of the National Council of the Slovak Republic is deputized by Deputy Chairmen. A simple majority of all deputies in a secret ballot is needed to appoint or recall the Deputy Chairmen. Deputy Chairmen are responsible to the National Council of the Slovak Republic.
2. The provision of Article 89, paragraph 3 also applies to Deputy Chairmen of the National Council of the Slovak Republic.

Article 91

1. The activities of the National Council of the Slovak Republic are conducted and organized by the Chairman and the Deputy Chairmen.

Article 92

1. The National Council of the Slovak Republic constitutes from among its deputies the committees as its own supervisory authorities. The chairmen of the committees are elected in a secret ballot.
2. The procedures at sessions of the National Council of the Slovak Republic and its committees will be regulated by law.

Section Two: Referendums

Article 93

1. A referendum is called to confirm a constitutional law on the Slovak Republic's joining with another state or on a withdrawal from such a union.
2. Referendums may also decide other important questions of public interest.
3. Basic rights and freedoms, taxes, inland revenues and the State budget shall not be subject to referendum.

Article 94

1. Every citizen of the Slovak Republic who is eligible to vote in the election to the National Council of the Slovak Republic has the right to vote in the referendum.

Article 95

1. A referendum is called by the President of the Slovak Republic when its holding is petitioned by 350,000 citizens or whenever the National Council of the Slovak Republic resolves to call it, and no later than thirty days from the receipt of the petition or from the date the National Council of the Slovak Republic adopts its resolution.

Article 96

1. A proposal to adopt a resolution by the National Council of the Slovak Republic calling for a referendum may be submitted by the deputies of the National Council of the Slovak Republic or by the Government of the Slovak Republic.
2. Any referendum must be held within ninety days from the date it has been called by the President.

Article 97

1. No referendum shall be held in a ninety-day period before the elections to the National Council of the Slovak Republic.
2. Referendums may also be held on the day of the election to the National Council of the Slovak Republic.

Article 98

1. The result of a referendum is valid if more than half of all eligible voters take part in it and more than 50% of the votes were positive.
2. Any valid decision obtained by a referendum will be enacted by the declaration of the National Council of the Slovak Republic.

Article 99

1. The National Council of the Slovak Republic may legally amend or abolish the result of a referendum within three years from the date it has become effective.
2. No referendum on the same issue shall be held sooner than within three years from the original referendum.

Article 100

1. The execution of a referendum will be regulated by law.

Chapter 6: Executive Power

Article 101

1. The President is the head of the Slovak Republic.
2. The President is elected by the National Council of the Slovak Republic in a secret ballot to a five-year term.
3. A three-fifths majority of all deputies is required for a presidential candidate to be elected President.

4. For the execution of his office, the President is responsible to the National Council of the Slovak Republic.

Article 102

1. The President:

- a. represents the Slovak Republic internationally, negotiates and ratifies international agreements. The President may entrust the Government, or, if the Government agrees he also may entrust individual ministers with negotiating those international agreements which did not require the consent of the National Council of the Slovak Republic;
- b. receives and gives credential to envoys;
- c. convenes constituent sessions of the National Council of the Slovak Republic;
- d. may dissolve the National Council of the Slovak Republic if it rejects the Program of the Slovak Government in three consecutive votes within six months from the elections. Following this procedure, the President must hear the standpoint of the Chairman of the National Council of the Slovak Republic. The new parliamentary election will be called by the Chairman National Council of the Slovak Republic within thirty days;
- e. signs laws;
- f. appoints and recalls the Prime Minister and other members of the Government, puts the ministers in charge of their departments and receives their resignation; the President recalls the Prime Minister and other members of the Government in the cases quoted in Articles 115 and 116;
- g. appoints and recalls the heads of the authorities of the central administration and other top officials of the State in legally stipulated cases; promotes university professors and rectors (chancellors), appoints and promotes Army generals;
- h. confers orders unless he empowers other authorities to do this;
- i. grants amnesty, pardons and commutes sentences imposed by courts, ordains courts not to launch or, if launched to stop some criminal proceedings and may order deletion of a criminal record from police and court files;
- j. is the chief commander of the armed forces;
- k. on the basis of a Government proposal, the President declares war emergency, on the basis a Slovak National Council proposal the President declares war if the Republic is attacked or if such a declaration ensues from international obligations and agreements concerning joint defense against a military assault;
- l. may declare a state of emergency on the basis of constitutional law;

- m. may declare a referendum;
- n. may return constitutional laws to the National Council of the Slovak Republic with comments within fifteen days from the date they have been approved;
- o. submits to the National Council of the Slovak Republic his reports on the state of the Slovak Republic and on serious political issues, submits bills and other decrees;
- p. is entitled to attend the sessions of the National Council of the Slovak Republic;
- q. has a right to attend the sessions of the Government of the Slovak Republic, chair these sessions and demand reports from the Government and its members.

Article 103

1. Every citizen of the Slovak Republic who is over the thirty-five years of age is eligible to elected President.
2. No person shall be elected President for more than two consecutive terms.
3. The election of a new President will held within a sixty-day period before the term of the President is do to expire. When a vacancy occurs in the Office of President before the end of his election term, the election of the new President shall take place within thirty days.
4. If a deputy of the National Council of the Slovak Republic, a member of the Government, judge, prosecutor, member of the armed forces or armed corps or a member of the Supreme Bureau of Inspection is elected to the Office of President, he will cease holding his original position from the date of his election as President.
5. The President shall not execute any other office or profession which brings remuneration, nor shall he be doing business or be a member of any authority of juridical persons active in business.

Article 104

1. Before he enters in his execution of office, the President takes the following oath, administered by the Chairman of the National Council of the Slovak Republic: 'On my honor I affirm my faith to the Slovak Republic. I shall care for the welfare of the Slovak nation, national minorities and ethnic groups living in the Slovak Republic. I shall exert my duties in the interest of the people and I shall protect and defend the Constitution and other laws.'
2. Should the President refuse to take this oath or if he takes it with any reservations, his election shall be declared ineffective.

Article 105

1. If the vacancy occurs in the Office of President and the new President has not been elected or has not taken his oath yet, as well as if the President is not able to execute his term of office for serious reasons, the Government takes over the execution of the Office of President, except for the presidential powers quoted in Article 102 paragraphs d. to g. The Government

may, in this case, commission the Prime Minister to retain some presidential powers. During that period, the Prime Minister is the acting chief commander of the armed forces.

2. If the President is unable to execute his office for a period longer than one year, the National Council of the Slovak Republic will recall him from office and elect a new President to a regular election term.

Article 106

1. The National Council of the Slovak Republic may recall the President from office if he exerts activities directed against the sovereignty and territorial integrity of the Slovak Republic or if his activities are aimed at removing the democratic order of the Slovak Republic. A proposal to recall the President can be submitted by a simple majority of all deputies. A quorum of at least a three-fifths majority of all deputies is needed to recall the President.

Article 107

1. The President may be prosecuted only for treason. A suit against a President is brought by the National Council of the Slovak Republic. A President would be tried exclusively by the Constitutional Court.

Section Two: The Government of the Slovak Republic

Article 108

1. The Government of the Slovak Republic is the supreme body of the executive power.

Article 109

1. The Government is composed of the Prime Minister and ministers.
2. No member of the Government shall simultaneously exercise the parliamentary mandate of deputy nor will he be a judge.
3. No member of the Government shall simultaneously execute any other office which brings remuneration, nor shall he be doing business or be a member of an authority for a juridical person active in business.

Article 110

1. The Prime Minister is appointed by the President of the Slovak Republic.
2. Every citizen of the Slovak Republic who is eligible to be elected to the National Council of the Slovak Republic is eligible to be appointed Prime Minister.

Article 111

1. On the Prime Minister's proposal, the President appoints and recalls the members of the Government and puts them in charge of their ministries. The President may appoint as Deputy Prime Minister or minister only a citizen who is eligible to be elected to the National Council of the Slovak Republic.

Article 112

1. The members of the Government must take the following oath, administered by the President: 'On my honor and conscience I do promise my faith to the Slovak Republic. I shall fulfill my duties in the interest of the people. I shall obey the Constitution and other laws and I shall strive to embody them through my work.'

Article 113

1. The Government is obliged to appear before the National Council of the Slovak Republic within thirty days from the date it has been appointed in order to submit its Program and ask the National Council of the Slovak Republic for a vote of confidence.

Article 114

1. For the execution of office, the Government is responsible to the National Council of the Slovak Republic.
2. The Government may at any time ask the National Council of the Slovak Republic for a vote of confidence.
3. The Government may associate the vote on a bill or any other vote with a vote of confidence in the Government.

Article 115

1. When the National Council of the Slovak Republic passes a vote of censure on the Government, or refuses a Government's request for confidence, the President will recall the Government.
2. If the President accepts the resignation of the Government, he will commission the Government with the execution of office until a new Government is appointed.

Article 116

1. Members of the Government are individually responsible for the execution of their office to the National Council of the Slovak Republic.
2. A member of the Government may submit his resignation to the President.
3. The National Council of the Slovak Republic may pass a vote of censure on individual members of the Government; in this case, the President shall recall them.
4. The proposal to recall a member of the Government may also be submitted by the Prime Minister.
5. If the Prime Minister submits his resignation, the entire Government must submit its resignation too.
6. If the National Council of the Slovak Republic passes a vote of censure on the Prime

Minister, the President shall recall him. The removal of the Prime Minister results in the removal of the whole Government.

7. If the President accepts the resignation of a member of the Government, or if he recalls a member of the Government, he will charge another member of the Government with the execution of office of the thus recalled member of the Government.

Article 117

1. The Government shall resign after the constituent session of the newly elected National Council of the Slovak Republic. However, it then executes its office until a new Government is formed.

Article 118

1. The Government has a quorum if at least half of its members are present at the session.
2. The Government resolution is adopted only when half of its members vote for it.

Article 119

1. The Government has the power to:
 - a. prepare bills;
 - b. issue Government decrees;
 - c. decide the Program of the Government and its performance;
 - d. adopt fundamental provisions for economic and social policy of the Slovak Republic;
 - e. authorize drafts for the State budget and closing account of the year;
 - f. decide about international agreements of the Slovak Republic;
 - g. make decisions on principal questions of internal and international policy;
 - h. submit bills to the National Council of the Slovak Republic or commit serious questions for public discussion;
 - I. request the Parliament for a vote of confidence;
 - j. grant amnesty in off-court offenses;
 - k. appoint and recall State officials in cases specified by law;
 - l. make decisions in other, legally stipulated matters.

Article 120

1. For the execution of a law and within the limits of law, the Government may issue decrees.
2. Government decrees are signed by the Prime Minister.
3. A Government decree must be declared in a manner ordained by law.

Article 121

1. The Government has the right to grant amnesty in cases of off-court offenses. The details will be specified by law.

Article 122

1. Central and local authorities of the State administration are established by law.

Article 123

1. Ministries and other authorities of the State administration may issue legal regulations of general obligatory effect within their jurisdiction providing they are entitled to do so by law. These regulations will be declared in a legally specified manner.

Chapter 7: Judicial Power

Section One: The Constitutional Court of the Slovak Republic

Article 124

1. The Constitutional Court of the Slovak Republic is an independent judicial body for the protection of the Constitution.

Article 125

1. The Constitutional Court decides:
 - a. whether Acts of Parliament and laws are in accordance with the Constitution and constitutional laws;
 - b. whether government decrees, generally binding legal regulations issued by ministries and other central bodies of State administration are compatible with the Constitution, constitutional laws and other laws;
 - c. whether the generally binding orders issued by bodies of regional governments are in accordance with the Constitution and laws;
 - d. whether the binding legal regulations of local bodies of the State administration are in accordance with the Constitution, laws and other generally binding legal regulations;

- e. whether the generally binding legal regulations are compatible with international treaties enacted in a legal manner.

Article 126

1. In case of doubt or conflict, the Constitutional Court determines the division of powers between the central of the State administration, if these differences are not decided by any other State body according to law.

Article 127

1. The Constitutional Court rules on complaints lodged against legal decisions of central bodies of State administration as well as bodies of territorial self-government which violate the constitutional rights and freedoms of citizens, if no other court deals with the protection of these rights and freedoms.

Article 128

1. The Constitutional Court interprets constitutional law in disputable cases. The conditions are specified by law.
2. The Constitutional Court does not take position on the constitutionality and legality of drafts for parliamentary bills and other generally binding legal regulations.

Article 129

1. The Constitutional Court rules on complaints against the a decision to verify the mandate of a deputy of the National Council of the Slovak Republic.
2. The Constitutional Court rules on the constitutionality and legality of elections to the National Council of the Slovak Republic and the bodies of regional governments.
3. The Constitutional Court decides in the case of complaints against the result of a referendum.
4. The Constitutional Court decides whether a decision to dissolve or uphold a political party or movement is in harmony with constitutional laws and other laws.

Article 130

1. The Constitutional Court institutes proceedings at the request of:
 - a. at least one-fifth of the deputies of the National Council of the Slovak Republic;
 - b. the President of the Slovak Republic;
 - c. the Government of the Slovak Republic;
 - d. the Court of Justice;

e. the General Prosecutor;

f. the person whose case is to be tried in cases specified in Article 127.

2. The law will specify who is entitled to submit a proposal for starting legal proceedings according to Article 127.

3. The Constitutional Court may institute judicial proceedings at the request of legal or private entities who claim to have suffered injustice.

Article 131

1. Matters specified under Article 107, Article 125 paragraphs a. and b., Article 129 paragraphs 2 and 4, Article 136 paragraph 2, Article 138 paragraphs 2 and 3, and the internal organization of the court are decided by the plenary session of the Constitutional Court.

Article 132

1. If the Constitutional Court decides that the legal regulations specified under Article 125 are incompatible with the Constitution and other laws, the regulations or some of their articles concerned shall cease to have effect. The bodies which have issued these regulations are obliged to bring them into accord with the Constitution, constitutional laws and other laws in the case of regulations under Article 125, item b., and with international treaties, Government decrees and generally binding legal regulations issued by ministries and other central bodies of the State administration in the case of regulations under Article 125, item c.; within six months from the declaration of the decision of the Constitutional Court. If they fail to do so, these regulations shall cease to have effect six months after the delivery of the judgment.

2. Decisions of the Constitutional Court issued according to paragraph 1 are pronounced in the manner determined for the promulgation of laws.

Article 133

1. There shall be no appeal against a decision of the Constitutional Court.

Article 134

1. The Constitutional Court consists of ten judges.

2. The judges of the Constitutional Court are appointed by the President to a seven-year term from twenty nominees proposed by the National Council of the Slovak Republic.

3. A judge of the Constitutional Court must be a citizen of the Slovak Republic who can be elected to the National Council of the Slovak Republic, has attained his fortieth year of age, is a university graduate in law and has at least fifteen years' experience in the legal profession.

4. Every judge of the Constitutional Court shall take the following oath of office, administered by the President of the Slovak Republic: 'On my honor and conscience I do promise that I shall protect the inviolability of all natural rights of a man and the rights of the citizen, protect the principles of just a state, obey the Constitution and constitutional laws and make decisions according to my best conscience, independently and impartially.'

5. A constitutional judge enters in his execution of office after he has taken this oath.

Article 135

The Constitutional Court is presided over by the Chairman, who can be deputized for by the Vice Chairman. The Chairman and the Vice Chairman are appointed from the judges of the Constitutional Court by the President of the Slovak Republic.

Article 136

1. The judges of the Constitutional Court have the same immunity as deputies of the National Council of the Slovak Republic.
2. Consent to open a prosecution for a crime against a judge of the Constitutional Court or to his arrest is given only by the Constitutional Court.
3. Consent to open a prosecution for a crime against the Chairman and Vice Chairman of the Supreme Court or to their arrest is given by the Constitutional Court.

Article 137

1. If the elected judge of the Constitutional Court is a member of a political party or political movement, he is obliged to cancel his membership before his taking of the oath of office.
2. The judges of the Constitutional Court perform their duties as a full-time occupation. The performance of these duties is incompatible with:
 - a. other paid work or economic activity except for the management of one's own property, scientific, educational, literary and artistic activities;
 - b. a position or employment in any other administrative body;
 - c. holding another office which would hurt the independent status of a judge.
3. The day the judge takes up his office, his electoral mandate or membership in the Government ceases to exist.

Article 138

1. A judge of the Constitutional Court may resign from his office in the Constitutional Court.
2. The President of the Slovak Republic may remove a judge of the Constitutional Court from his office on the basis of a sentence for the commitment of a deliberate criminal offense, and on the basis of a disciplinary action taken against him by the Constitutional Court for an act which is incompatible with the performance of his office in the Constitutional Court.
3. The President of the Slovak Republic will recall a Constitutional Court judge if the Constitutional Court reports that the judge has not taken part in the proceedings conducted by

the Constitutional Court for more than one year, or if the judge of the Constitutional Court has been deprived of his qualification for legal practice by a judicial decision.

Article 139

1. If a judge of the Constitutional Court resigns from his office or if he is recalled, the President of the Slovak Republic appoints his successor from two candidates proposed by the National Council of the Slovak Republic.

Article 140

1. Details of the organization of the Constitutional Court, the way of conducting proceedings and the status of the judges are specified by law.

Section Two: The Courts of Justice of the Slovak Republic

Article 141

1. The jurisdiction over the Slovak Republic is exercised by independent and impartial courts of justice.
2. The jurisdiction is separated from other State bodies in every level.

Article 142

1. The courts of justice deal with civil, commercial and criminal cases; the courts also rule on the legality of decisions made by administrative bodies.
2. The courts decide in senates if the law does not stipulate that the case is decided by one judge. The law will determine cases when citizens also take part in the decision of the senates.
3. The judgment of the court is always announced in the name of the Slovak Republic in public.

Article 143

1. The set of courts consists of the Supreme Court of the Slovak Republic and other courts.
2. The powers and organizational structures of the courts as well as the manner of the proceedings are specified by law.

Article 144

1. The judges are independent during the proceedings and are only bound by law.
2. The judges are also bound by international treaties if it is stipulated by the Constitution or law.

3. If the court finds that a generally binding legal regulation is contrary to law, it interrupts the judicial proceedings and submits a proposal for starting an action in the Constitutional Court. The Supreme Court as well as other general courts of justice are bound by decisions of the Constitutional Court.

Article 145

1. Judges are elected by the National Council of the Slovak Republic at the proposal of the Government to a four-year term. On the expiration of this electoral period, the National Council of the Slovak Republic appoints judges proposed by the Government for an indefinite period.

2. The Chairman and Vice Chairman of the Supreme Court are elected from the judges of the Supreme Court by the National Council of the Slovak Republic for a period of five years, and to not more than two consecutive terms.

Article 146

1. A judge may resign from his office.

Article 147

1. The National Council of the Slovak Republic may remove a judge from his office:
 - a. on the basis of a sentence for a deliberate criminal offense;
 - b. on the basis of a decision of a disciplinary court for an act which is incompatible with the performance of his duties.
2. The National Council of the Slovak Republic may recall a judge:
 - a. if his state of health does not allow him to fulfill his duties as a judge for a long period of time;
 - b. if he has completed his sixty-fifth year of age.
3. Before deciding to remove a judge from his post, the National Council of the Slovak Republic will ask for the opinion of the relevant disciplinary court.

Article 148

1. The status, rights and duties of judges are specified by law.
2. The way of selecting the members of a jury is specified by law.

Chapter 8: The Office of Public Prosecutor of the Slovak Republic

Article 149

1. The Office of Public Prosecutor defends the rights and legally protected interests of the State, private and legal entities.

Article 150

1. The Office of Public Prosecutor is headed by the General Prosecutor. The General Prosecutor is appointed and recalled by the President of the Slovak Republic at the request of the National Council of the Slovak Republic.

Article 151

1. Details of appointment and recall, the rights and duties of public prosecutors as well as the organization of the Public Prosecutor's Office are specified by law.

Chapter 9: Interim and Final Provisions

Article 152

1. The constitutional laws, other laws and generally binding legal regulations remain in force in the Slovak Republic if they are not at variance with this Constitution. They may be amended or abrogated by the relevant authorities of the Slovak Republic.
2. Abolishment of laws and other generally binding legal regulations issued by the Czech and Slovak Federation commences ninety days after the date of publication of that decision issued by the Constitutional Court of the Slovak Republic in the manner ordained for the declaration of laws.
3. Ineffectiveness of legal regulations is decided by the Constitutional Court of the Slovak Republic according to a proposal made by persons specified in Article 130.
4. The interpretation and enforcement of constitutional laws, other laws and generally binding legal regulations and rules must be in accordance with this Constitution.

Article 153

1. To the extent specified by a constitutional law of the Czech and Slovak Federal Republic or to the extent agreed between the Slovak Republic and Czech Republic, the Slovak Republic will assume the rights and duties ensuing from international treaties binding the Czech and Slovak Federal Republic.

Article 154

1. The Slovak National Council elected according to Article 103 of Constitutional Law No. 143/1968 on the Czechoslovak Federation continues its execution of offices as the National

Council of the Slovak Republic according to this Constitution. The election term of the National Council of the Slovak Republic commences from the day of elections to the Slovak National Council.

2. The Government of the Slovak Republic appointed in Article 122 paragraph 1 Section a. of Constitutional Law No. 143/1968 on the Czechoslovak Federation is considered to be the Government, appointed according to this Constitution.

3. The Chairman of the Supreme Court of the Slovak Republic and the General Prosecutor of the Slovak Republic, appointed to their office according to the contemporary legal regulations, will continue their execution of office until they are appointed to office according to this Constitution.

4. The judges of the courts of justice of the Slovak Republic appointed to their office according to the contemporary legal regulations are considered to be appointed to their office without time restrictions according to this Constitution.

Article 155

The following constitutional laws are repealed:

1. Constitutional Law of the Slovak National Council No. 50/1990 concerning the name, State banner, State seal, State emblem and anthem of the Slovak Republic.

2. Constitutional Law of the Slovak National Council No. 79/1990 concerning the number of parliamentary deputies; the text of the oath of office taken by the deputies of the Slovak National Council, members of the Slovak Government and representative of National Committees; and the electoral period of the Slovak National Council.

3. Constitutional Law of the Slovak National Council No. 7/1992 concerning the Constitutional Court of the Slovak Republic.

Article 156

1. This Constitution of the Slovak Republic will take effect from the day of its promulgation, except for Article 3 paragraph 2, Article 23 paragraph 4 in the case of expulsion of a foreigner to another country; Articles 53, 84 paragraph 3 in the case of declaration of war on another state; Article 86 items k. and l.; Article 103 item g. in the case of appointment and promotion of university professors and rectors and Army generals and item j. and g.; Article 152 paragraph 1 second sentence if it concerns constitutional laws, other laws and generally binding legal regulations issued by the bodies of the Czech and Slovak Federal Republic, which will take effect simultaneously with the relevant changes in constitutional relations in the Czech and Slovak Federal Republic in accordance with this Constitution.

This Constitution was signed at Bratislava Castle on 3 September 1992 by the Prime Minister of the Slovak Republic, V'ladimir Meciar, and the Chairman of the National Council of the Slovak Republic, Ivan Gasparovic.

ATTACHMENT D:

**SLOVAK ELECTORAL CODES:
PARLIAMENTARY ELECTION LAW
MUNICIPAL ELECTION LAW**

LAW
OF THE SLOVAKIAN NATIONAL COUNCIL
"ON ELECTIONS TO SLOVAKIAN NATIONAL COUNCIL"
(Full text including later additions and amendments)

The Slovakian national council adopts full text of Law of the Slovakian National Council of 16 March 1990 No. 50/1990 "On elections to the Slovakian National Council" including alterations and additions, stipulated in the: Law of the Slovakian National Council of 3 December 1991 No. 8/1992; Law of the Slovakian National Council of 25 February 1992 No. 104/1992; Law of the Slovakian National Council of the Slovakian Republic of 5 November 1992 No. 518/1992; and Law of the Slovakian National Council of the Slovakian Republic of 7 June 1994 No. 157/1994

CHAPTER I. BASIC REGULATIONS

ARTICLE 1.

Elections to the Slovakian National Council are held on the basis of universal, equal and direct suffrage by secret ballot, in accordance with the principle of proportional representation in constituencies.

ARTICLE 2.

1. Citizens of the Czechoslovakian Socialist Republic, who live in the Slovakian Republic and aged 18 by the day of elections, have the right to participate in the elections.
2. Persons, whose legal competence was refused due to mental diseases or other reasons, related with health, or it was restricted due to above-mentioned reasons, are deprived of the electoral right¹.
3. Stipulated by the laws on restrictions of personal freedom, related with:
 - a) protection of health of population of the country²;
 - b) serving one's sentence in places of imprisonment.

ARTICLE 3.

Any citizen of the Slovakian Republic, who has the right to participate in the elections and aged 21 by the day of conduct of the elections, and who permanently lives within the territory of the Slovakian Republic, may be elected as Deputy of the Slovakian National Council (hereinafter referred to as Deputy).

CHAPTER II. LISTS OF VOTERS

ARTICLE 4. Compilation of lists of voters

1. Lists of voters are compiled and conducted by administration of locality, and at the capital of the Slovakian Republic - Bratislava -, and at Coshytse - by municipal administration (hereinafter referred to as "locality")³, in accordance with constituencies.
2. As far as it concerns servicemen of the Armed Forces and Forces of National Safety, who live in barracks, the list of voters is compiled by administration of locality on the basis of data, submitted by the Commander of a given military formation. Administration of locality is obliged to survey that electoral divisions where only servicemen of Armed Forces and Forces of National Security (or persons, specified in Article 10, paragraph 4 of present Law) will participate in elections, were not formed.
3. If elections to the Slovakian National Committee are conducted simultaneously with elections to the Federal Assembly, than electoral districts may be merged for such elections to be held.

ARTICLE 5. Entering voter list

1. Each voter may be entered to only one voter list.
2. All citizens of the Slovakian Republic, who have the right to participate in the elections, are entered to the voter list in accordance with the place of their permanent residence⁴. Servicemen of Armed Forces and forces of national security⁵, which live in barracks, are entered to the voter list of that locality on the territory of which the military formation where they are registered, is situated. The commander of a military formation, situated within territory of said locality, submits to administration of locality the list of servicemen who are registered to the formation.
3. Citizens, who either were deprived of the suffrage or were restored in suffrage and obtain the opportunity to participate in the elections after compilation of the list, are to be either additionally entered to the voter list, or to be additionally excluded from it.

¹ Article 10, paragraphs 1, 2 and Article 855 of Civil Code (full text is given under the number 47/1992).

² Article 3, paragraph 2, subparagraph b), Article 9, paragraph 2, subparagraph a) and Article 24 of Law No. 20/1966 "Care for People's Health";

³ Law of the Slovakian National Council No. 369/1990 "On administrative management of localities", with consideration of the later regulations, Law of the Slovakian National Council No. 377/1990 "On the capital of the Slovakian Republic - Bratislava", with consideration of regulations of Law of the Slovakian National Council No. 377/1991, Law of the Slovakian National Council No. 401/1991 "On city of Coshytse", with consideration of regulations of Law of the Slovakian National Council No. 130/1991.

⁴ Article 3, paragraph 2 of the Law No. 135/1982 "On residence permit and registration of citizens"

⁵ Law of the Slovakian National Council No. 204/1991 "On forces of national safety of the Slovakian Republic"

Law of the Slovakian National Council No. 79/1992 "On internal forces of the Slovakian Republic".

4. If Slovakian citizen has no permanent place of residence within the territory of the Czechoslovakian Republic, but on the election day he (she) has come to the polling station, the Electoral commission is required to enter him (her) into the voter list. In this case the respective record on entering the citizen into the voter list is made in the foreign passport of the citizen by the divisional electoral commission.
5. If there is an obstacle (Article 2, paragraph 3), which makes participation of voter in elections impossible, this fact should be recorded on the voter list.

ARTICLE 6. Publication of voter lists

1. Administration of locality is obliged to publicize voter lists for familiarisation with them all citizens no later than 30 days before election day. Administration of locality informs citizens about publication of said lists through all available means.
2. At population locations, where more than 5000 voters, entered to voter lists live, administration of locality is obliged to provide that on each building were placed voter lists of those voters who live in the building.

ARTICLE 7. Voter certificate

1. Those voters, who cannot participate in the elections at their electoral districts (i. e. at the electoral districts where they have been entered to the voter list), shall submit a respective application to the administration of locality which issues to them a voter certificate and simultaneously excludes them from the voter list of particular electoral districts.
2. A voter certificate gives to the voter the right to be entered to the voter list of other electoral districts to participate in elections to the Slovakian National Council.

ARTICLE 8. Appeal against the voter's list

1. Each citizen has the right orally or in writing to indicate administration of locality errors or inaccuracies in the voter list and submit his (her) proposals on their correction. Administration of locality is obliged within three days either to introduce respective amendments to the voter list, or to inform the citizen about reasons (in writing), owing to which the amendments are not introduced.
2. If the proposal on correction of the voter list is diverted, the citizen has the right to appeal to a district court, in the jurisdiction of which is the territory of said electoral district; the court is required to make a decision within 3 days. The court makes its decision on the basis of law on administrative management which stipulates the procedures for court inspection of decisions of various state bodies. In accordance with decision of the court, administration of locality is required to introduce appropriate corrections to the voter list. In this case costs are not reimbursed by plaintiff. The verdict of the court is final and is not subject to appeal.

CHAPTER III. CONSTITUENCIES AND ELECTORAL DIVISIONS**ARTICLE 9. Constituencies**

1. Constituencies cover the territories listed in Annex I to the present Law.
2. In the Slovakian Republic, in accordance with its territorial subdivision, 4 constituencies are formed: constituency of the capital of Slovakian Republic - Bratislava, Western-Slovakian constituency, Middle-Slovakian constituency and Eastern-Slovakian constituency.

ARTICLE 10. Electoral divisions

1. At least 30 days before the election day, the Head of administration of locality (Mayor), or Head of administration of municipal district¹, - hereinafter "head of administration of locality" - forms electoral divisions, where voters can cast their votes by virtue of dropping ballots into special ballot boxes. The above-mentioned person as well determines premises for polling stations. At the polling station tabulating votes is conducted as well.
2. Electoral districts are formed in such way that they include, as a rule, 1000 voters. For remote areas of populated locations separate electoral districts may be formed, under condition that those include at least 50 voters.
3. Special electoral districts may be formed at hospitals, houses for the aged and the like, or at their departments, but under conditions that there are no less than 100 voters.
4. The participation in the elections at preliminary detention places², or at places of serving administrative penalties is realised on the basis of a voter certificate; the organization of participation in the elections being provided by electoral district commission, on territory of which said special institution is located, jointly with the Head of respective said special institution. In such cases it is not required to observe sizes of electoral districts according to Article 3. If persons, who are kept in said special institutions, do not reside within territory of said electoral district, they take part in the elections on the basis of voter certificates, which are issued to them upon their request. If detention of citizen by the police being the case, the respective board of police management is obliged to ensure participation in the elections of a detained person.

¹ Article 13 and Article 24, paragraph 2 of the Law of the Slovakian National Council No. 369/1990

Article 17 of the Law of the Slovakian National Council No. 377/1990

Article 15 of the Law of the Slovakian National Council No. 401/1990

Article 36 of the Law of the Slovakian National Council No. 204/1991

CHAPTER IV. ELECTORAL BODIES

ARTICLE 11. General regulations

1. Elections to Slovakian National Council are held under control of the Slovakian Electoral Commission.
2. Elections to the Slovakian National Council within individual constituencies are conducted under the control of regional Electoral Commission.
3. District electoral commissions are formed within districts. On the territory of the capital of the Slovakian Republic - Bratislava - district electoral commissions are formed in accordance with Annex II of the present Law.
4. At individual electoral districts divisional electoral commissions are formed.
5. Each citizen, who has the right to participate in the elections may be a member of an electoral commission. A candidate for Deputy may not be a member of an electoral commission.
6. An electoral commission is comprised of equal numbers of members of political parties and political movements¹ or of coalitions (Article 17, paragraph 9) (hereinafter referred to as "political parties"), which nominate separated lists of candidates for Deputies. Surnames, names and address of representatives of political parties in electoral commissions, as well as their deputies, each political party announces to that person, who calls the first session of electoral commission. Announcement of list of candidates for Deputies as invalid (or withdrawal of the list) cancels participation of representatives of said political party in the respective electoral commission. If illness, disappearance or death being the case, the chairman of the commission calls for performance of this duty the deputy of said person, in accordance with the sequence, determined by said political party.
7. Members of electoral commissions take their offices after taking the following oath: "I swear by my honor to accomplish honestly and without prejudice my duties and in this I will be governed by laws and other legal regulations". Members of electoral commissions pass the text of the oath with autographs to the chairman of the respective electoral commission.
8. In order for a decision to be made, more than half of the members of the electoral commission are to be present at its session. The decision is taken by the simple majority of votes. If equality of votes being the case, the proposal is diverted.
9. At the first session, the electoral commission by drawing lots elects the Chairman and his (her) deputy among members of the commission, each of them has to be a member of other political party. Process of the drawing lots is controlled by the oldest member of the commission.
10. The Slovakian Electoral Commission, constituency electoral commissions and district electoral commissions, with the purpose of processing voting results, form special (counting) groups; staff of the groups includes persons who are assigned for this special purpose by appropriate bodies of statistics. These persons take an oath, as it was stipulated in Article 7.

ARTICLE 12. Secretaries of electoral commissions

1. The Secretary of:
 - a) the Slovakian Electoral Commission is appointed and recalled by the government of Slovakian Republic;
 - b) the regional electoral commission is appointed and recalled by Minister of Internal Affairs of the Slovakian Republic;
 - c) the district electoral commission is appointed and recalled by the Head of district administration;
 - d) the divisional electoral commission is appointed and recalled by the Head of administration of locality.
2. The Secretary is appointed with a sufficient amount of time, in order that he (she) could familiarize with his (her) duties, stipulated by laws. On decision of matters within electoral commissions, the secretary has the right of consultative vote. The secretary takes the oath, as it is stipulated in Article 11, paragraph 7.

ARTICLE 13. The Slovakian electoral commission

1. Each political party that submitted list of candidates for at least one region of the country, delegates to the Slovakian Electoral Commission two members and two of their deputies; this shall be done no later than 60 days before the day of elections conduct.
2. The Chairman of the government of the Slovakian Republic determines the date of the first session of the Slovakian Electoral Commission within 3 days after the expiration of the term, stipulated by Article 1.
3. The Slovakian Electoral Commission performs in general the following functions:
 - a) Ensures the observance of legal prescriptions, concerning elections;
 - b) Governs the work of regional electoral commissions;
 - c) Makes decisions on complaints, concerning the work of constituency electoral commissions, and on decisions, taken by these commissions;
 - d) Compiles lists of registered candidates;
 - e) Establishes and announces election results;
 - f) Records the minutes of election results and passes it to National Council of the Slovakian Republic;
 - g) Issues credentials of Deputy to the elected candidates;
 - h) Transfers documents, related with elections, to the Ministry of Internal Affairs of the Slovakian Republic for storage;
 - i) Executes further actions in accordance with this Law and other legal regulations.

¹ Law No. 424/1991 "On association into political parties and political movements"

ARTICLE 14. Regional electoral commission

1. Each political party, that submitted a list of candidates for this region, delegates to the regional electoral commission two members and their two deputies; this shall be done no later than 60 days before the day of elections.
2. The Minister of Internal Affairs calls the session of the constituency electoral commission no later than within 3 days after expiration of the term stipulated in Article 1.
3. The constituency electoral commission:
 - a) Ensures the observance legal prescriptions, concerning elections;
 - b) Makes decisions on complaints, concerning the work of district electoral commissions, as well as on decisions of these commissions;
 - c) Considers and registers lists of candidates for Deputies within constituency;
 - d) Determines results of the elections within said constituency;
 - e) Records the minutes on the results of elections submits said minutes to the Slovakian Electoral Commission;
 - f) submits the minutes concerning the elections, to the Ministry of Internal Affairs of the Slovakian Republic for storage;
 - g) executes further actions in accordance with this Law and other legal regulations, or performs missions of the Slovakian Electoral Commission.

ARTICLE 15. District electoral commission

1. Each political party, that submitted a list of candidates which was registered in a region, delegates one member and his (her) deputy to district electoral commissions; this shall be done no later than 30 days before the day when the elections are fixed.
2. The Chairman of the respective district administration calls the first session of the commission within 3 days after expiration of the term stipulated by Article 1.
3. The District electoral commission:
 - a) surveys the observance of legal prescriptions concerning elections;
 - b) makes decisions on complaints on the work of electoral divisions commissions, and on decisions which were taken by these commissions;
 - c) controls processing of voting results within electoral divisions;
 - d) If any doubts arise, it has the right to require the explanation or other information from divisional electoral commissions. Obvious errors the commission corrects itself, on agreement with the divisional electoral commission. If said agreement has not been achieved, the commission has the right to require that divisional electoral commission meet again and eliminate the errors demonstrated;
 - e) submits processed results of voting of the electoral division to the regional electoral commission;
 - f) transfers documents, related with elections, to district administration for storage.

ARTICLE 16. Divisional electoral commissions

1. Each political party that submitted a list of candidates which was registered in the region, delegates one member and his (her) deputy to the district electoral commission; this shall be done no later than 30 days before the day when the elections are fixed. If it is not enough to achieve the minimum number of members of a divisional electoral commission, then vacant seats are appointed by Head of administration of locality.
2. Taking into consideration local conditions, Head of administration of locality establishes the minimum number of members of the divisional electoral commission. A divisional electoral commission shall be composed at least of 5 members.
3. The Chairman of administration of locality calls the first session of the divisional electoral commission no later than within 3 days after expiration of the term stipulated by Article 1.
4. The divisional electoral commission:
 - a) ensures normal conduct of voting, particular attention being paid to correctness of casting votes and to maintenance of order at the polling station);
 - b) executes calculation of votes and records the minutes on voting results; the minutes are to be immediately transferred to the respective regional electoral commission;
 - c) all documents concerning elections, are transferred to administration of locality for storage.

CHAPTER V. NOMINATION AND REGISTRATION OF LISTS OF CANDIDATES

ARTICLE 17. Lists of candidates

1. Lists of candidates are to be submitted by political parties to regional electoral commissions in duplicate no later than 60 days before the elections. Political party accompanies the list of candidates with the following:
 - a) confirmation of the fact that there are at least 10, 000 individual members in said political party.
 - b) if the condition, specified in subparagraph a), is not met, then an application must to be attached, the said application ought to be signed by voters. The number of signatures ought to supplement the numbers of its member to the figure, specified in subparagraph a). Next to the signature on the said application the voter, after presentation of his (her) civil passport, indicates his (her) name, surname, registration number in the register of births, marriages and deaths, and address in accordance with registration of the passport. Signature under the application cannot be cancelled. The regional electoral commission has the right to check accuracy of data concerning number of individual members of the

said political party, or data presented in the application.

2. If a political party submits a list of candidates in several electoral regions of country, then such application can be submitted to one regional electoral commission only; other regional electoral commissions are notified about this.
3. Observance of condition of Article 1, subparagraphs a) or b) is not required for those political parties, which were presented to the Slovakian National Council 60 days before the beginning of elections, or which during the latest elections to Slovakian National Council has won more than 10, 000 valid votes.
4. The list of candidates includes:
 - a) name of political party;
 - b) name, surname, age, place of work and address, according to registration of passport, of candidates and priority of their places in the list of candidates (in the list of candidates individual candidates obtain number, written in Arabic numerals).
5. In the list of candidates a political party, besides the data specified in paragraph 4, subparagraph b), may show its graphic symbol, may additionally indicate their membership in particular political party, may notify that candidate is not a member of any political party, or to indicate that the candidate is independent.
6. In an Appendix to the list of candidates the political parties indicates its authorized representative and his (her) two deputies (surname, name, address).
7. The list of candidates is accompanied with the signed manual application of the candidate in which he (she) notifies that he (she) is agreed to be nominated for Deputy, that he (she) is absent in other lists of candidates, that there are no obstacles for nomination of his (her) candidacy.
8. Within a single constituency a political party may submit its list, including no more than 50 candidates.
9. Political parties may conclude an agreement on submission of the merged list of candidates. Coalitions that appeared as the result of such association, are governed by those regulations of the present Law, which concerns separate political parties. Fulfilment of the conditions, specified in paragraph 1 subparagraphs a), b) and in paragraph 2, is checked with respect to all these political parties in such way, as if the list of candidates was submitted by a single political party. The same is applicable to paragraph 4. The same is applied to Article 5.
10. The Secretary is obliged to check lists of candidates for their correspondence to all above-mentioned requirements. If there are any mistakes, the secretary informs about this the authorized representative of the political party. The Secretary informs authorized representatives of political parties on recognition of lists of candidates for Deputies.
11. The Secretary is required to transfer immediately the list of candidates for Deputies to special (counting) group for checking the correctness of election results.

ARTICLE 18. Consideration of lists of candidates by regional electoral commission

1. The Regional electoral commission has the right to consider the submitted lists of candidates within 55 days before the day of elections. Checking of lists of candidates within a constituency is carried out by the constituency electoral commission, which uses for this special (counting) group.
2. The regional electoral commission withdraws from the list:
 - a) the candidate who did not attach to the list of candidates the application in accordance with Article 17, paragraph 7;
 - b) the candidate if he (she) is included in the lists of candidates for Deputies of several political parties, or if he (she) is included in that list of candidates for Deputy, which is not accompanied with notification in accordance with Article 17, paragraph 7. If a candidate has signed notifications to several lists of candidates, then he (she) will be crossed out from all lists of candidates for Deputy;
 - c) those candidates who nominated their candidacies in excess of the stipulated number of candidates in accordance with Article 17, paragraph 8.
3. The constituency electoral commission will refuse to recognize the list of candidates (as being not corresponding to the requirements of Article 17) if the political party did not amend detected mistakes within 24 hours after notice from the constituency electoral commission, and if the party cannot amend those within the limits stipulated in paragraph 2. Such decision may be appealed by a political party within 24 hours.
4. After the lists of candidates are discussed, the Chairman of the regional electoral commission shall immediately send to the address of the Slovakian Electoral Commission one copy of the list of candidates, accompanied with notification of the regional electoral commission on its agreement to allow the candidate to participate in elections, as well as the minutes on results of the inspection of lists of candidates. Simultaneously results of the inspection are sent to all political parties, which nominated lists of candidates within a given constituency.

ARTICLE 19. Consideration of lists of candidates by the Slovakian electoral commission

1. The Slovakian Electoral Commission ought to accomplish consideration of the minutes, submitted by regional electoral commissions on results of inspection of lists of candidates, within at least 50 days before election day. Prior to the above-mentioned term the Slovakian Electoral Commission must correct all found discovered errors. Within the territory of the Slovakian Republic, inspection of lists of candidates for Deputy is carried out by The Slovakian Electoral Commission by virtue of its special (counting) group.
2. If a candidate is included on the lists of candidates of several political parties, then The Slovakian Electoral Commission will cross him (her) from that list of candidates, which was not accompanied by notification according to Article 17, paragraph 1. If a candidate has signed a notification to several lists of candidates for Deputy, then he (she) will be crossed out of all

lists of candidates for Deputy.

3. If it seems that lists of candidates were submitted by the same political party, but they have different designations within different constituencies, the Chairman of the Slovakian Electoral Commission is required to call representatives of said political party, and they are required to ensure uniform designation of their lists of candidates within all constituencies before termination of session of the Commission.
4. If the constituency electoral commission has recognized list of candidates, but the Slovakian Electoral Commission has found disparities in the requirements of article 17, and representatives of political party which submitted in the list have not amended those disparities within 24 hours after notice, The Slovakian Electoral Commission recognizes this list of candidates as invalid one.
5. The Slovakian Electoral Commission by virtue of lottery determines the ordinal number under which lists of candidates for Deputy of each of the political parties shall participate in elections.
6. The Chairman of the Slovakian Electoral Commission without any delay sends the minutes of inspection of lists of candidates and assigns to them ordinal numbers to constituency electoral commissions and to authorized representatives of political parties; the Chairman provides as well publication of ordinal numbers of lists of candidates for Deputy.

ARTICLE 20. Registration of lists of candidates

1. After receiving the minutes with results of inspection of lists of candidates by The Slovakian Electoral Commission, the regional electoral commission executes registration of lists of candidates. This work ought to be completed at least 45 days before elections. The commission notifies political parties about registration of their lists of candidates. Registration is the condition for manifolding the list of candidates for Deputy.
2. The Regional electoral commission takes measures to familiarize the public with candidates, enlisted in registered lists of candidates.
3. The Constituency electoral commission send in writing information concerning lists of candidates for Deputy to Heads of administration of localities; the latter no later than 3 days before elections are obliged to familiarise the electorate with those data.

ARTICLE 21. Refusal from nomination and withdrawal of candidacy

1. No later than 48 hours before elections a candidate has the right to withdraw his (her) candidacy. Prior to this term a candidacy may be recalled in writing by that political party which included him (her) into list of candidates for Deputy. Application on withdrawal or on refusal to be nominated cannot be withdrawn itself. The application is submitted in duplicate to the Chairman of the regional electoral commission; the chairman without any delay sends one copy to the Chairman of the Slovakian Electoral Commission and at the same time duly informs the public on the availability of such application.
2. If a candidate refuses to be nominated or if he (she) was recalled after completion of registration of list of candidates, then data of candidate is retained in the list, but this candidate is excluded from consideration when distributing mandates.
3. If after a candidate has been registered in the list of candidates for Deputy by the constituency electoral commission, the dissolution of a political party occurred, the data, concerning the candidate, is not altered, but during distribution of mandates said political party is not taken into account.

ARTICLE 22. Ballots

1. The Chairman of constituency electoral commission with assistance of the Ministry of Internal Affairs of the Slovakian republic ensures appropriate manifolding of ballots; the ballots are to include ordinal number of the list of candidates, determined by way of lottery (Article 19, paragraph 5); in addition, lists shall include: name of political party, data on all candidates and their sequence within the list of candidates for deputy. Data in ballots are to coincide with data, included into registered lists of candidates, the ordinal number of record in the Register for candidates is not included; instead of the place of habitation of candidates the localities where they live, are listed.
2. Ballots for elections to National Council of the Slovakian Republic are to be printed with the same font, with usage of paper of the same colour and quality; besides, they are to be of the same size. There must be impression of the seal of regional electoral commission in ballots.
3. The Chairman of the constituency electoral commission sends around the ballots to Heads of administration of localities, which ought to ensure the distribution of the ballots to divisional electoral commissions.
4. Voters shall obtain ballots at polling stations on the day of elections.

ARTICLE 23. Pre-election campaign

1. In accordance with this Law, the time interval which starts 23 days before and finishes 48 hours before the elections, is to be understood as the period of the pre-election campaign.
2. In the course of the pre-election campaign each political party which nominated candidates for Deputy, obtains guaranteed access to means of the mass media, as well as to other State-services and services of territorial self-government. Within constituencies the total amount of 21 hours of broadcasting is allotted for pre-election campaign by radio and television during; this amount of time is equally distributed among competitive political parties so that no one of them was limited. Time of broadcasting is determined by virtue of lottery. Political parties are responsible for contents of these broadcastings. Those radio and television stations which operate on license, are not allowed to transmit broadcastings, concerning pre-election campaign.
3. In the course of the pre-election campaign any broadcasts, concerning said subject, during the time which does not coincide with the time stipulated in paragraph 2, are prohibited. In addition, any other broadcasts, which propagandize political parties which nominated candidates for Deputy for the elections, are prohibited as well. It is prohibited as well to cover the pre-election campaign during the time allotted for advertising, as well as to use advertisement for conduct of pre-election campaign.

4. It is forbidden to use local broadcasting stations for the pre-election campaign of political parties, which nominated candidates for Deputy, excluding messages on the conduct of pre-election meetings.
5. If the administration of locality allots the area for pre-election posters, the area shall be distributed among political parties on basis of their equality.
6. 48 hours before start of elections and on the day of their conduct, the pre-election campaign "pro" and "contra" political parties or candidates (in writing, oral, audio and video products) is prohibited in means of the mass media, at polling stations and within the nearest vicinity of the polling stations. Announcement of prognosis and public opinion concerning elections, is ceased at least 7 days before the election conduct.
7. Before the moment of signing the minutes on voting results, members of electoral commissions are prohibited to give information, concerning the final and intermediary results of elections.
8. In the course of elections, up to the day of their completion, it is prohibited to publish prognoses, concerning the results of elections.
9. Disputes and complaints, concerning the conduct of the pre-election campaign in means of the mass media, are to be resolved by The Slovakian Electoral Commission, the decision of which is final and binding.

CHAPTER VI. ELECTIONS

SECTION I. ANNOUNCEMENT ON THE CONDUCT OF THE ELECTIONS

ARTICLE 24. Election day

1. The election day is established by the Chairman of the Slovakian National Council at least 80 days before their conduct. The Decree of the Presidium of the Slovakian National Council is published in the Collection of Laws of the Slovakian Republic.
2. Elections are held within single day in the entire territory of the Slovakian Republic. But the Chairman of the Slovakian National Council may decide to conduct the elections within two days.
3. The elections are held on a stipulated day from 7:00 to 18:00. If local conditions require, the Council of administration of locality may shift beginning of the election to an earlier time.
4. If the elections are held during two days, then the beginning of the elections is at 14:00 of the first day, and the finish of elections at 22:00 of the first day. During the second day, elections begin at 7:00 and finish at 14:00. In accordance with local conditions, the beginning of the election may be shifted to an earlier time.

ARTICLE 25. Information for voters

1. The Administration of locality at least 15 days before election day announces within the territory of locality the time and the place of the conduct of elections. If several electoral divisions were formed within the territory of locality, the administration determines the separated parts of the locality, military formations (Article 4, paragraph 2) or special institutions (Article 10, paragraph 3) to particular electoral divisions. In addition, administration of locality informs voters of the necessity to have an identification card and announces all necessary information.
2. Within those locations where there are more than 5000 inhabitants, the administration of locality ensures the issuing of special single certificates, in which all necessary data on elections are enlisted. In addition, administration of locality provides delivery of said certificates directly to places of habitation of citizens. Administration of locality may take decision on performance of said measures within a populated location where there are less than 5000 voters.

SECTION II. MANNER OF VOTING

ARTICLE 26. Polling station preparation

1. Before the beginning of the elections the Chairman of the divisional electoral commission, with the participation of members of the commission, executes inspection of the polling box and the box for unused and diverted ballots. If results of the inspection are positive, the boxes are sealed. In addition, equipment and extent of preparation of the polling station and documentation to the election are checked: availability of lists of candidates and sufficient number of ballots, as well as sufficient number of non-transparent envelopes for placing ballots. After the conduct of such inspection, elections are announced opened.
2. If the elections are held for two days, the Chairman of the divisional electoral commission must ensure that after completion of the first day of elections, stationary or mobile polling boxes were sealed in such way that to exclude possibility to cast into it non-registered ballots. The chairman of the divisional electoral commission personally selects a safe place for the storage of ballots and voter lists.

ARTICLE 27. Booths for completing ballots

1. Booths for completing ballots are to be arranged so that secrecy of voting shall be ensured. Each voter with ballot shall pass through the polling-booth for completing the ballot. Otherwise the voter is not allowed to vote. Within these booths only the voter him (her) self can be present.
2. Any outside present persons, including members of the electoral commission of any rank, have no right to come to the polling booth simultaneously with voter.

ARTICLE 28. Voting

1. Each voter votes personally. A voter has no right to charge another person to vote instead of him (her). Members of the divisional electoral commission have no right to complete ballots instead of voters.
2. After coming into the polling station, the voter presents an identification card; after that he (she) is noted in both copies of voter lists and receives a ballot from the member of commission. If a voter has no identification card, and no one member of the commission knows him (her) personally, he (she) is required to present two witnesses whom members of the commission know personally. If before completion of voting the voter did not do so, the voter is not permitted to vote.
3. Having coming to the polling station with a voter certificate, the voter is entered by divisional electoral commission to the voter list. The record is witnessed by the Chairman and two members of the commission by their signatures. The voter certificate is filed to the first copy of the voter list. After that commission gives the voter a ballot and an empty envelope.
4. Having received a ballot and the envelope, the voter proceeds to the polling-booth for completing the ballots (Article 27, paragraph 1). Inside the booth the voter places into the envelope one ballot. In the ballot the voter may circle ordinal numbers of no more than four candidates listed in this ballot; with this the voter shows the candidates he (she) gives preference. To make any other marks in the ballot is prohibited.
5. The voter who cannot complete the ballot personally (as the result of physical injuries, or due to his (her) inability to read or to write), has the right to invite to the polling-booth another voter who, in accordance with instructions of the first voter, shall complete the ballot and put it into the envelope.
6. Voters cast the vote as follows: after leaving the polling-booth, the voter, in sight of members of divisional electoral commission drops the envelope into the polling box. A voter who has not passed through polling-booth, is not permitted to vote. This regulation is applied to the special constituencies (Article 10, paragraph 3), but there is possible consideration of particular conditions of voting.
7. The voter, who has no possibility to come to the polling station, has the right to require the divisional electoral commission to conduct voting by virtue of mobile ballot box. In this case the divisional electoral commission sends to him (her) at least two members of the commission with the mobile ballot box, envelope and ballot. These members of divisional electoral commission are obliged to ensure secrecy of voting.
8. The voter, who cannot drop the ballot into the polling box due to physical injury, may ask another voter to do this at his (her) presence, but not a member of the electoral commission.

ARTICLE 29. Maintaining order at the polling station

1. Chairman of the divisional electoral commission is responsible for maintaining order at the polling station; in the case of his (her) absence responsibility is laid upon his (her) deputy.
2. Instructions and orders of the Chairman of the divisional electoral commission or deputy Chairman of this commission, concerning maintenance of the order at the polling station and the proper conduct of elections, are obligatory for all persons who are present at the polling station.
3. It is prohibited to conduct agitation concerned with running elections.

ARTICLE 30. Voting interruption

If circumstances arise that hinder the start, normal conduct or completion of voting, the divisional electoral commission has the right to postpone the start of voting to a later time, or to extend the time of voting. As the result of this, the total time of voting (Article 24) shall not change. The Divisional electoral commission informs voters about that event, using all available means at the locality. If voting interruption being the case, the divisional electoral commission is required to seal all documents and polling boxes. Under continuation of voting, the chairman, in the presence of two members of commission, is required to inspect the integrity of the seals and to record this fact in the minutes on voting results within said polling station.

ARTICLE 31. Voting completion

After expiration of the time determined as the time of voting completion, only those voters who were inside the polling station or in front of it, are permitted to vote. After the moment when the last voters have cast the vote, the doors of the polling station are closed and the chairman of divisional electoral commission announces the voting completed.

SECTION III. DETERMINATION AND ANNOUNCEMENT OF ELECTION RESULTS

ARTICLE 32. Persons who may be present during tabulation of votes

Members of electoral commission and commissions of the higher ranks, and officials of special (counting) groups of those commission, as well as persons, who have permissions, issued by the Slovakian Electoral Commission, have the right to be present in the room where divisional electoral commission is tabulating votes.

ARTICLE 33. Tabulating votes by divisional electoral commission

1. After voting completion the Chairman of the divisional electoral commission seals excessive, unused ballots in envelopes and opens the polling box. If the divisional electoral commission (in accordance with requests of individual voters) has used mobile ballot boxes, than contents of the boxes after their opening shall be mixed by the commission.
2. The divisional electoral commission extracts envelopes with ballots from the polling box, counts the number of envelopes with seals and compares the number of envelopes with data in the voter list. Outside envelopes without seal are excluded from further calculation by the commission.
3. After extraction of ballots from envelopes, the divisional electoral commission sorts them and counts the number of ballots cast for individual political parties. In the course of this the commission eliminates invalid ballots. In addition, the commission determines the number of voters who have used the right to give preference to individual candidates. The number of such ballots is counted for each political party. In addition, the commission counts number of preferential votes which were cast

- for individual candidates in ballots.
4. Each member of the divisional electoral commission has the right to review ballots. The chairman of the divisional electoral commission surveys the accuracy of tabulating votes.

ARTICLE 34. Inspection of ballots

1. In favor of lists of candidates of a political party those ballots are counted which have crossed out, changed or added surnames and names of candidates. No attention shall be paid to such correction when tabulating votes. If a voter circled in the ballot more than four candidates, the ballot is counted in favour of the party that submitted it, but is excluded from consideration during counting of preferential votes.
2. Those ballots which are printed with a non-stipulated font, which differs from the printing used in manifolding, are considered invalid. If there are several ballots of different political parties inside the envelope, they are announced invalid. If there are several ballots of the same political party inside the envelope, they are considered as one vote. If on one of such ballots the preference was given to one or more candidates, then that ballot in which the preference was given to the greatest number of candidates, is selected for further counting of votes. If on several ballots the same number of preferential votes were cast, but not in favor of the same candidates, the preferential voting shall not be taken into account.
3. If there are any doubts with respect to the validity of the envelope, ballot or preferential vote, the final decision on these matters is taken by regional electoral commission.

ARTICLE 35. The minutes of divisional electoral commissions on voting

1. The divisional electoral commission compiles in duplicate the minutes on election results. The minutes are to be signed by the Chairman and all members of the divisional electoral commission. The reasons for refusal to sign the minutes are to be attached to the minutes.
2. The minutes on voting results of the divisional electoral commission shall include:
 - a) time of start and finish of voting, time of voting interruption, if this fact took place;
 - b) total number of persons entered into voter list at a given electoral division;
 - c) number of voters who received envelopes;
 - d) number of handed over envelopes;
 - e) number of valid votes, cast for individual lists of candidates for Deputy;
 - f) number of voters of political party, who used the right to cast preferential votes;
 - g) number of valid preferential votes, cast for individual candidates in accordance with lists of candidates for Deputy;
 - h) summary of claims and proposals, submitted to the divisional electoral commission, as well as resolutions, taken by the commission and their brief substantiation.

ARTICLE 36. Completion of activity of divisional electoral commission

1. After tabulating votes and signing the minutes on voting results, the Chairman of the divisional electoral commission announces voting results and without any delay transfers one copy of the above-mentioned minutes to the district commission. After that members of the divisional electoral commission are pending for instructions of district commission on completion the work.
2. If within 1-24 hours after voting termination, the chairman of the divisional electoral commission shall not perform his (her) duties on transfer of data to district electoral commission (in spite of the requirement of the latter), the district electoral commission has the right to transfer to the constituency electoral commission voting results for the remaining electoral divisions.
3. The divisional electoral commission seals up completed ballots and the voter list, and transfers them together with all other documents, concerning elections, to administration of locality for storage.

ARTICLE 37. Tabulation of votes by district electoral commissions

The district electoral commission collects voting results from particular divisional electoral commissions and by virtue of it special (counting) groups inspect completeness of minutes of divisional electoral commissions, which reflects the conduct and results of the elections in electoral divisions. During this process only members of electoral commissions and members of their special (counting) groups, as well as persons who have the permission of The Slovakian Electoral Commission, may be present in the working room. The inspected minutes are to be sent immediately to the Slovakian Electoral Commission.

ARTICLE 38. Tabulation of votes by regional electoral commissions

1. The regional electoral commission tabulates votes and determines voting results within a given constituency on the basis of voting results, sent by district commissions. If any doubts arise, this commission has the right to require ballots and other documents, concerning elections, from respective district electoral commission from administration of locality. If there is a necessity, the commission has the right to request an explanation and additional information from the above-mentioned bodies.
2. Only members of the electoral commission, members of constituency electoral commissions and their special (counting) groups, as well as persons who have permission, issued by the Slovakian National Commission, have the right to be present in the room used by constituency electoral commission for tabulating votes and determining voting results.

ARTICLE 39. The minutes on voting results of regional electoral commission

1. The regional electoral commission records the minutes in duplicate; the minutes reflects voting results within given constituency. The minutes are signed by the Chairman and all members of the commission. The refusal to sign the minutes should be attached to the minutes.
2. The minutes of the regional electoral commission on voting results shall include the following data:
 - a) number of electoral divisions within a given region and the number of divisional electoral commissions, which sent data, representing voting results;
 - b) number of persons included into voter list within a given region;
 - c) number of voters who received envelopes;
 - d) number of envelopes dropped into polling boxes;
 - e) number of valid votes cast for each list of candidates for Deputy;
 - f) number of voters of a political party who used the right to cast preferential votes;
 - g) number of valid preferential votes, cast for individual candidates for Deputy in accordance with lists of candidates;
 - h) summary of claims and proposals, submitted to the regional electoral commission, as well as resolutions, taken by the commission and their brief substantiation.
3. After signing both copies of the minutes on voting results, the Chairman of the regional electoral commission without any delay sends one copy of the minutes to the Slovakian Electoral Commission. All the last documents, concerning the conduct of elections, are transferred to the respective National committee for storage.

ARTICLE 40. Determination of number of delegates, elected in constituencies

1. After consideration of the minutes sent by the regional electoral commission, the Slovakian Electoral Commission on their basis determines the number of valid votes, cast for all lists of candidates for Deputy in all constituencies. The obtained number is divided as stipulated by Law by the number of Deputies; the result is approximated to the whole number. The result is the republican mandate number.
2. The total number of valid votes, cast within each constituency, is divided by the republican mandate number. The obtained result of division gives the number of mandates for each constituency.
3. If due to the above-mentioned actions not all mandates were distributed, the Slovakian Electoral Commission subsequently presents mandates to those constituencies, where the greatest remainder of division was obtained. If these remainders are equal, lottery is used.

ARTICLE 41. Participation of parties in the first round of elections

1. The Slovakian Electoral Commission determines the total numbers of votes, cast in favor of each political party, political movement and coalition.
2. Further The Slovakian Electoral Commission determines:
 - a) which political party or political movement received less than 5% of the votes;
 - b) which coalition, including two or three political parties, or political movement received less than 7% of votes;
 - c) which coalition, including at least four political parties, or political movement received less than 10% of total number of valid votes.Under further determination of results of the elections and distribution of mandates these political parties, political movements and coalitions, as well as votes cast for them, shall not be taken into account.
3. If The Slovakian Electoral Commission determines that no one political party (political movement or coalition) meets the requirements of paragraph 2, the above-mentioned limits will be lowered:
 - a) for political parties or political movements - from 5% to 4% or 3%;
 - b) for coalitions according to paragraph 2, subparagraph b) - from 7% to 6% or 5%;
 - c) for coalitions according to paragraph 2, subparagraph c) - from 10% to 9% or 8%.This being done so that to the first round of election at least two coalitions, or one coalition and one political party or political movement, or two political parties or political movements would pass.

ARTICLE 42. The first round of elections

1. The total number of valid votes, cast within a given constituency for those political parties which participate in the first round of elections, is divided by the number of mandates, dispensed for a given constituency (Article 40), increased by one; the entire number obtained as a result of above-mentioned division, is the regional electoral number.
2. The total number of valid votes that were gained by a political party within a given constituency, is divided by the regional electoral number, and the political party obtains as many mandates as many times regional electoral number is contained in the total number of valid votes which were cast for a given political party.
3. If, as the result of such division, the number of dispensed mandates exceeds by one the number of assigned mandates, the excessive mandate is taken from that political party, which within a constituency has the least remainder after division. If equality of the remainder being the case, the mandate is taken from that political party, which within constituency gained the least number of votes. If equality of the latter indices being the case, a lottery is performed.

4. Within individual political parties the mandates are distributed among candidates nominated by these parties in the order of priority of the list of candidates. But, even if one-tenth of the total number of voters who cast valid votes for this political party use their rights of preferential vote, then the mandate in the first turn is given to that candidate who gained at least 10% of preferential votes of the total number of votes, cast for a political party within a constituency. If the political party has the right to several mandates, and several candidates meet the conditions specified in the previous sentence, then the candidates obtain mandates in the order which is determined by the largest number of preferential votes, cast for them. If equality of preferential votes being the case, decisive is the position of candidate for Deputy in the list of candidates.
5. If a political party nominated a smaller number of candidates than the number of mandates it could obtain due to election results, then this political party obtains only such number of mandates which equals to the number of nominees.

ARTICLE 43. The second round of elections

1. All mandates that were not distributed in the course of the first round of elections the Slovakian Electoral Commission transfers to the second round of elections. To the second round of elections the remaining votes, which were cast for individual political parties, are transferred.
2. No later than 12 hours after obtaining the results of the first round of the elections, members the Slovakian Electoral Commission transfer to its Chairman lists of candidates of their political parties. The number of candidates in these lists of candidates for Deputy is unlimited; but a political party has the right to include in lists of candidates only those persons, who were candidates from the political party in a particular region, and had not been elected in the course of the first round of elections. After transferring lists of candidates, they can not change neither surnames of candidates, nor the sequence of their positions within this list.
3. In the second round of elections the Slovakian Electoral Commission counts the remaining votes, which were cast for individual political parties. Then this total number is divided by the number of mandates that were not distributed in the course of the first round of elections, increased by one. The result of the division, approximated to the whole number, is taken as the republican electoral number. Each political party obtains as many mandates, as many times the republican electoral number is contained in the sum of remaining votes, which were cast for individual political party.
4. If under these conditions not all mandates shall be distributed among political parties, or if a political party nominated the number of candidates less than the number of obtained mandates, then the Slovakian Electoral Commission shall subsequently distribute these mandates among those political parties which submitted valid lists of candidates, and which have the greater remainder after division in the second round of elections. If remainders from division of said numbers are equal, the mandate is presented to that political party, which has the greater number of votes in the Slovakian Republic; if these indices are equal as well, the mandate is distributed by the way of lottery.
5. If in the course of usage of this method the number of distributed mandates was a unity larger than is permitted, then the excessive mandate is taken away from that political party which has the smallest remainder of the division established in the second round of elections. If these remainders are equal, the mandate is taken away of that political party, which has won the lesser number of votes. If these indices are equal as well, the fate of the mandate is determined by virtue of lottery.
6. Within individual political parties candidates obtain mandates in accordance with sequence, i. e., in accordance with the ordinal number of their position in the list of candidates in the second round of elections.
7. Those candidates, which did not obtain mandates neither in the first, nor in the second round of elections, are placed in reserve.

ARTICLE 44. The minutes of the Slovakian electoral commission and announcement of voting results

1. After the distribution of mandates the Slovakian Electoral Commission records the minutes on election results. The minutes ought to be signed by the Chairman and all members of the Slovakian Electoral Commission. If any members of the Slovakian Electoral Commission refuse to sign the minutes, they are required to substantiate their refusal.
2. The minutes on election results shall include the following data:
 - a) total number of persons who were included into voter lists;
 - b) total number of voters who have obtained envelopes;
 - c) numbers of votes, cast for each list of candidates (data within the Slovakian Republic and within each region are to be shown separately);
 - d) surnames and names of those candidates, who were elected in the course of the first round of elections in accordance with individual lists of candidates for Deputy; the number of preferential votes, gained by the candidates, is to be shown as well; surnames and names of candidates, elected during the second round of elections; surnames and names of candidates who were placed in reserve.
3. The Slovakian Electoral Commission publicizes the election results after signing the final minutes on election results with an indication of the distribution of mandates for individual constituencies. In addition, the Slovakian Electoral Commission has the right to announce preliminary results, in which it shows data, specified in paragraph 2, subparagraphs a) - c). The Slovakian Electoral Commission sends results of the elections, with an indication of the sequence of candidates' positions, to all candidates for Deputy, which were lists of candidates who passed the registration.

ARTICLE 45. Deputy certificate

The Slovakian Electoral Commission issues Deputy certificates to elected candidates.

ARTICLE 46.

(Cancelled in the new wording of the Law)

ARTICLE 47. Measures against violation of law

If within individual region facts of violation of this Law were discovered, the Chairman of the Slovakian National Council within one week from the day of announcement of election results is required to take measures directed to the conduct of election in strict accordance with this Law. In this case it is allowed to shorten the terms, stipulated beforehand.

ARTICLE 48. Usage of reserved candidates for deputies

1. If a mandate became free, then it is distributed to a reserved candidate from the same political party, according to the priority of its position in the list of candidates for Deputy within that constituency, where the Deputy whose mandate became free was elected. If there were noted preferential votes of voters in the list of candidates, the mandate is distributed to the candidate who gained the greatest number of preferential votes. If there is no such reserved candidate, then the candidate of the same political party becomes the Deputy, but in accordance with priority in the list of candidates, the priority being established in the course of the second round of elections.
2. If there is no reserved candidate of the same political party, then the mandate is abolished up to the end of term of authority of the Slovakian National Council of the present convocation.
3. (Not available)
4. If by this moment the political party has ceased its activity, the reserved candidate does not pass to Deputies.
5. If the mandate of Deputy became free due to the passing of a Deputy to the government of the Slovakian Republic, a new Deputy is posted among reserved candidates.
6. The Chairman of the Slovakian National Council announces the appointment of a reserved candidate as a valid Deputy within 15 days after abolishing the mandate of his (her) predecessor, or after the mandate has become free according to paragraph 5. The reserved candidate, who has become the Deputy, is issued credentials of the Deputy, in which data of beginning of performance of new duties by him (her) is indicated.

CHAPTER VII. MEASURES ON ELECTIONS PROVISION**ARTICLE 49. Providing with auxiliary means**

1. All auxiliary facilities, mainly rooms for electoral division, equipment of such room, envelopes with the seal of electoral commission and necessary servicing personnel are placed at the disposal of divisional electoral commission by the administration of locality, on the territory of which this electoral commission was formed.
2. The district electoral commission is provided with all necessary auxiliary facilities by district administration, district electoral commission within the territory of the capital of the Slovakian Republic - Bratislava - respective district municipal administration, and the constituency electoral commission is provided with all necessary auxiliary facilities by the territorial regional administration.

ARTICLE 50. Co-operation with other bodies and institutions

1. All State bodies and all State, co-operative and other institutions are required by all means to assist in the fulfilment of regulations of this Law.
2. Those institutions and persons, who are engaged in the printing industry, are required (on demand of bodies, resolving matters in accordance with present Law) to do all possible for timely and qualitative publication of lists of candidates for Deputy, single certificates, ballots and all necessary documentation which may be needed in the course of elections.

ARTICLE 51. Rights of members of electoral commissions

1. The work of an electoral commission is an honourable duty. A member of an electoral commission may not be appealed against his (her) main office duties or against other fields of his (her) activity, concerning his (her) participation in the electoral commission. Moreover, a member of an electoral commission is partially or fully released from his (her) main offices with preservation of full salary.
2. An employer who pays salary to a member of electoral commission, has the right to demand reimbursement; the amount of the latter is established by the Ministry of Finances of the Slovakian Republic on agreement with the Ministry of Internal Affairs of the Slovakian Republic.
3. If a member of an electoral commission does not obtain a salary according to paragraph 1, his (her) bonus is established by juridical regulation of the Ministry of Finances of the Slovakian Republic, on agreement with the Ministry of Internal Affairs of the Slovakian Republic.

ARTICLE 52. Rights of candidates for deputy

1. A candidate for Deputy after registration of a list of candidates has the right to address to his (her) employer, with the application for leave, the employer having no right to refuse him (her). Such leave is presented from the next day after registration of the list of candidates and lasts to the end of day, preceding the elections.
2. On request of the candidate, the employer is required to pay the candidate an average salary.
3. An employer has the right to demand from the political party, which nominated this candidate for Deputy, to reimburse expenditures on payment to candidate average salary for the period of preparation and conduct of elections.
4. An unemployed candidate for Deputy is paid an average bonus by that political party which included this candidate into its list of candidates for Deputy.
5. The average bonus for a candidate is calculated in the same way as the average salary of members of electoral commissions.
6. If a particular person is candidate for Deputy may not by reason for damaging this person. It relates not only to labor, but to other relations as well. Duration of the leave in accordance with paragraph 1 is accounted to the length of service.

ARTICLE 53. Reimbursement of expenditures on the conduct of elections

1. Expenditures on the conduct of elections to the Slovakian National Council, including expenditures of district administration of localities, are reimbursed from the State budget of the Slovakian Republic.
2. Expenditures according to paragraph 1 do not include expenditures of political parties for pre-election campaign.
3. After inspection of elections of Deputies to Slovakian National Council, the Presidium of the Slovakian National Council presents to the Ministry of Finances, Prices and Salary of the Slovakian Republic data on the number of valid votes, obtained by individual political parties; that political party, which in the course of elections gained more than three per cent of total number of valid votes cast within the Slovakian Republic, will obtain from the State budget reimbursement to the amount of 60 coruncs per each said vote.

CHAPTER VIII. TRANSITIONAL AND CONCLUSIVE REGULATIONS

ARTICLE 54. Regulations on authorities

1. The Ministry of Internal Affairs of Slovakian Republic:

- a) determines in detail tasks of National committees in:

- 1) formation of electoral divisions;
- 2) compiling voter lists;
- 3) printing ballots;
- 4) finding and equipping polling stations;
- 5) storing ballots and other documents, concerning the conduct of elections.

- b) proposes to the Slovakian Electoral Commission patterns of printed documents and provides printing of them;
- c) has the right to stipulate procedures of co-operation with bodies of the State management (Article 50, paragraph 1) when inspecting accuracy of data in accordance with Article 17, paragraph 1).

2. The Slovakian Statistical Agency, on agreement with the Ministry of Internal Affairs and on co-operation with Federal Statistical Agency, develops methods of processing voting results.

ARTICLE 55.

All measures undertaken by respective bodies of the State management on implementation of this Law, in spite of not coming into legal force this Law, shall be considered so, as if the Law has already legal power.

ARTICLE 56. Cancellation of old law

Be it enacted by this the cancellation of Law No. 55/1971 of the Slovakian National Council "On elections to the Slovakian National Council".

ARTICLE 57. Coming the law into force

This Law comes into legal force from the date of its publication (16 March 1990).

Law of the Slovakian National Council No.... comes into force from the date of its publication (16 January 1992).

Law of the Slovakian National Council No 104/1992 comes into force from the date of its publication (12 March 1992).

Law of the Slovakian National Council No 518/1992 comes into force from the date of its publication (13 November 1992).

Law of the Slovakian National Council No 157/1994 comes into force from the date of its publication (28 June 1994).



The National Council of the Slovak Republic
has adopted this Act:

Part I.
Fundamental Provisions

Article 1

Elections into community self-administration bodies take place on the base of general, equal and direct franchise by executing of a ballot.

Article 2

/1/ The right to vote into the community self-administration bodies has any citizen of the Slovak Republic having his permanent stay in the community /hereinafter "citizen"/ and completing his 18-year of age on the election day.

/2/ The right to vote, however, has not such a citizen who was relieved of the capability for legal deeds or his capability for legal deeds was limited.

/3/ An obstacle in executing of franchise is:

- a/ legally determined limitation of the personal freedom on account of the population health protection,
- b/ execution of an imprisonment punishment or of a custody.

Article 3

/1/ Any citizen having the right to vote can be elected as a deputy of the community /town/ administration body.

/2/ Office of the community /town/ administration deputy is incompatible with the function of a

- a/ judge,
- b/ prosecutor or prosecutor office investigator,
- c/ member of an armed security corps or of the Correcting Education Corps /functioning in imprisonment institutions/,
- d/ self-administration office worker, in which he would be elected, and main auditor,
- e/ mayor of the community.

Article 4

/1/ Any citizen having the right to vote and completing 25-year of age on the election day can be elected the mayor of a community /or the primator of a town/.

/2/ Function of the community mayor /of the town primator/ is incompatible with the functions described in the article 3, paragraph 2, letters a/ to d/.

Part II.
Voters lists

Article 5
Compilation of the Voters List

The voters list is compiled and conducted by the community, in Bratislava, the capital of the Slovak Republic, and in the city of Kosice by a city part /hereinafter "community"/ according to polling stations.

Article 6
Recording into the Voters List

/1/ Citizens owing the right to vote are recorded into the voters lists in a community according to the place of their permanent stay. Every voter can be recorded in the single voters list only.

/2/ Citizens who obtain or lose the right to vote after the voters lists are completed will be recorded into the voters list, or crossed out of it, additionally. The same way is followed when the permanent stay has been changed.

/3/ A obstacle in executing of the right to vote is recorded for concerned citizens in the voters list. If this obstacle ceases, the recorded note is crossed out there.

Article 7
Display of the Voters List

The community displays the voters list to enable citizens to look at it 30 days before the election day at the latest. The community informs citizens about displaying of the voters list in a way known in the locality.

Article 8
Objections Procedure

/1/ Every citizen can orally, or in writing present some objections to the community concerning any incorrectnesses in the voters list and suggest its correction. The community should immediately decide on objections and execute the correction in the voters list or inform, in writing, reasons why the correction cannot be performed.

/2/ If the objection is rejected by the community, the citizen can present it to the competent district court. The court is obliged to decide the case within 3 days. The provisions of the Civil Procedure Code dealing with decisions scrutinizing of other institutions are taken into the consideration. According to the court decision, the causal change in the voters list is performed by the community, or by the polling station commission on the election day. The court proceeding is free of charge. The court decision is not to be appealed.

Part III.
Election District and Polling Stations

Article 9
Election Districts

/1/ Election districts with several mandates are created for the elections into the community /town/ self-administration bodies. Deputies for the community self-administration bodies in these districts are elected in a rate to the community inhabitants amount, 12 deputies at most in a election district.

/2/ One district should be created in such a community where 12 or less deputies are to be elected.

/3/ Election districts and the number of their deputies according to the paragraphs 1, 2 above are determined by the community according special regulations 65 days before the election day at the latest.

/4/ In towns being divided into some town parts, the boundaries of the election districts coincide with these town parts.

/5/ The every community creates one single-mandate election district for the election of a mayor /in towns primator/.

Article 10
Polling Stations

/1/ In communities, polling stations are created for balloting and counting of votes.

/2/ The polling stations and the voting rooms in each of them are created by the community 40 days before the elections day at the latest.

/3/ A polling station is created in such a way it would include as a rule 1000 voters. Special polling stations could be created for remote community parts if there are, at least 50 voters there. Polling stations must not exceed the election district boundaries.

Part IV.
Election Authorities

Article 11
General Provisions

/1/ Election into the community self-administration bodies is controlled by the Slovak Voting Commission. Election is controlled: in districts by district voting commissions, in towns by town voting commissions and in other communities by local voting commission.

/2/ Polling station voting commissions are created in single polling stations.

/3/ Every person capable to vote can be the member of a voting commission. Any candidate to be the deputy in a community /town/ self-administration body or the mayor /primator/ of a community /town/ cannot be the member of any voting commission.

/4/ Election commissions are created from an equal number of political parties or their coalitions which submit an independent candidate document taking into account conditions described in the articles 12, paragraph 1 and 13, paragraph 1. The political parties and coalitions submit the names, together with addresses, of their representatives and substitutes to the person calling the first meeting of the voting commission. In a case of illness, job-business or extinction of the member function, the commission chairman calls in the substitute according to the order given by the political party or a coalition. If a candidate document is declared invalid or is taken away, membership of those representatives in voting commissions finishes.

/5/ The voting commission members beginn their function by performing the following vow: "I promise on my honour to execute my function conscientiously and impartially and to direct myself according to the laws and other legal regulations". The vow is rendered into hands of the person calling in the first session of the voting commission.

/6/ The voting commission adopts a decision if the majority of its members is present. The decision is valid if it is adopted by the majority of the present commission members. In the case of the equality of votes, the proposal is taken as rejected. The voting commission makes a report consisting of its decisions.

/7/ The voting commission determines a chairman and his deputy by an agreement on its first meeting. If no agreement has been made, the chairman and his deputy are determined by the lottery-ticket. The chairman and his deputy must not be from the same party. The lottery-ticketing is controlled by the oldest commission member.

/8/ The registrar /thereinafter "secretary"/ of the Slovak Voting Commission is appointed by the Slovak Republic Government. The secretary of the district voting commission is appointed by the District office head as a rule from the district office workers. The secretaries of the town /community/ or polling station commission are appointed by the community mayor, as a rule, from the self-administration office workers. The secretary should be appointed in advance, sufficiently, so that he may fulfil tasks determined by law. During the commission sessions, the secretary has an advisory vote. The secretary takes the vow according to the paragraph 5.

/9/ The Slovak Voting Commission, district voting commissions, the city voting commissions and the community voting commissions create up the centers from workers allocated by appropriate state statistics office pupposeilly for the computer proccesing of election results. These workers take vows according to the paragraph 5.

Article 12
The Slovak Voting Commission

/1/ Every political party and coalition of some political parties submitting candidate documents into the community /town/ self-administration body in one third, at least, of districts in the Slovak Republic delegate into the Slovak Voting Commission 2 representatives and 2 substitutes 45 days before the election day at the latest.

/2/ The first session of the Slovak Voting Commission is called by the chairman of the Slovak Republic Government within 3 days after elapsing of the term stated in the paragraph 1.

- /3/ The Slovak Voting Commission especially
- a/ supervises the keeping of the legal regulations concerning the elections,
 - b/ decides about complaints on the district commission procedures and appeals against their decisions,
 - c/ finds out and publishes the election results of the community self-administration bodies in the Slovak Republic,
 - d/ fulfils another tasks according to this act and special regulations.

Article 13
District Voting Commission

/1/ Every political party and coalition submitting a candidate document into the community /town/ self-administration bodies in one third, at least, of the communities of the district delegates 2 representatives and 2 substitutes into the district voting commission 50 days before the election day at the latest.

/2/ The first session of the district voting commission is called by the district office head within 3 days after elapsing of the term stated in the paragraph 1.

- /3/ The district voting commission
- a/ supervises the keeping of the legal regulations concerning the election,
 - b/ decides about complaints on the town or community voting commission procedures and appeals against their decisions,
 - c/ finds out and publishes the election results into the community self-administration bodies in the district,
 - d/ hands over the election writings into the safe-keeping of the district office,
 - e/ fulfils further tasks according to this act, special regulations and tasks being charged by the Slovak Voting Commission.

Article 14
Town and Community Voting Commission

/1/ Every political party and coalition submitting a candidate document for election into the community /town/ self-administration body delegates to the community /town/ voting commission /hereinafter "local voting commission"/ 2 its representatives and 2 substitutes 55 days before the election days at the latest.

/2/ The local voting commission must consist of 5 members as the minimum. If there is no local commission created in the way described in the paragraph 1, mayor of the community appoints the rest of its members.

/3/ The first meeting of the local voting commission is called by the community mayor within 3 days after elapsing of the term stated in the paragraph 1.

- /4/ The local voting commission
- a/ supervises the keeping of the legal regulations concerning the election,
 - b/ decides on complaints on the polling station commissions procedures and appeals against their decisions,
 - c/ reconsiders and registers the candidate documents and the proposals of independent candidates for election into the community /town/ self-administration body and candidates for the function of the mayor /primator/,
 - d/ hands over the voting writings into the safe-keeping of the community.

Article 15
Polling Station Voting Commission

/1/ Every political party and coalition of political parties of which a candidate document was registered for the election into the community /town/ self-administrative body delegates one its representative and one substitute into each polling station commission 30 days before the election day at the latest.

/2/ Polling station commission must have 5 members as the minimum. If this number is not achieved, the community mayor invites the political parties and coalitions of the political parties mentioned in the paragraph 1 to delegate more their representatives. If the political parties and coalitions fail to do so, in spite of the challenge, within 3 days, the members of the polling station commission are appointed by the community mayor from citizens without any political membership.

/3/ The first session of the polling station commission is called by the community mayor within 7 days since elapsing of the term mentioned in the paragraph 1.

- /4/ The polling station commission
- a/ secures the course of voting, especially it supervises the correct handling with the ballots and takes care of the order in the poll,
 - b/ summes up the votes and prepares a record on voting which immediately submits the local polling commission,
 - c/ hands over all other writings about the election to the safe-keeping of the community.

Part V.
Proposal and Registration of Candidates into the Community
/Town/ Self-Administration Bodies

Article 16
Candidate Documents

/1/ Candidate documents for election into the community /town/ self-administration body can be submitted by political parties and coalitions of some political parties for each polling district separately.

/2/ There is a possibility to apply for the candidature to the community /town/ self-administration body by some independent candidates who make the proposal on their own.

/3/ The candidate documents of the political parties, coalitions of some political parties and of independent candidates should be submitted to the secretary of the local voting commission, in duplicate, 55 days before the election day at the latest.

/4/ The candidate document consists of

- a/ name of the political party or the coalition of some political parties,
- b/ name, age, occupation and the permanent stay of candidates and their order on the candidate document expressed by an Arabic number,
- c/ names and addresses of a representative and his substitute of the political party or coalition of some political parties. The candidate may be neither the mentioned representative nor his substitute.

/5/ The proposal of the independent candidate consists of his name, first name, age, occupation and the permanent stay.

/6/ The political party or coalition can put such a number of their candidates as, in the voting district concerned, should be the number of elected deputies in the community /town/ self-administration body.

/7/ The candidate for election into the same community /town/ self-administration body may candidate in one voting district only.

/8/ Every candidate document must have enclosed declarations of each candidate signed by his own that he agrees with his candidature and gave no consent to be on other candidate document, and that there are no him known obstacles to be elected.

/9/ The proposal of the independent candidate should be enclosed by a petition of 100 authorized voters, in communities with over 2000 inhabitants, and of 50 authorized voters, in communities with less than 2000 inhabitants. In this petition, it should be put, next to a signature, name and first name, his native number and the permanent stay.

/10/ A candidate into the community /town/ self-administration body must have the permanent stay in the community where he is the candidate.

Article 17
Registration of Candidates

/1/ The local voting commission reconsiders the submitted candidate documents and crosses out

- a/ the candidate having not enclosed the declaration according to the article 16, paragraph 8,
- b/ the candidate found on the candidate documents of several political parties or coalitions of political parties or on these candidate documents in several voting districts where there is not attached the declaration according to the article 16, paragraph 8, if this candidate signed the declaration on several candidate documents, he is crossed out on all candidate documents,
- c/ the candidate who is over the determined number according to the article 16, paragraph 6,
- d/ the candidate not having the permanent stay in the community where he is the candidate.

/2/ The local voting commission also reconsiders the proposals of the independent candidates and does not register the candidate not fulfilling the conditions stated in the article 16, paragraph 9 and 10.

/3/ The local voting commission registers all candidates stated on the valid candidate documents and on the proposals of independent candidates 45 days before the election day at the latest. The information about the registration is marked on the candidate document and on the independent candidate proposal. The candidates' registration should be reported, in writing, to the political parties, the coalitions, the independent candidates and the district voting commission. The district voting commission immediately reports this fact to the Slovak Voting Commission. The candidates registration is a condition of ballots' compilation and printing.

Article 18
Candidature Proclamation

The local voting commission publishes, in a way on the place usual, name, age, occupation, membership in a political party of the registered candidates or the fact that the candidate is independent 30 days before the election day at the latest.

Article 19
Quitting and Withdrawals of the Candidature

/1/ A candidate may quit, in writing, his candidature until 3 days before the election beginning. By the same time, a candidate may be also withdrawn, in writing, by the political party or coalition which has candidate him.

/2/ The declaration of quitting or withdrawal of a candidate cannot be taken back. This declaration is delivered, in duplicate, to the local commission chairman who immediately secures its publication in a way in that place usual.

/3/ If the quitting or withdrawal declaration was made after the candidate registration, his personal data are left on the ballot, but he is not taken into account at the time of mandate allocation.

Article 20 Ballots

/1/ The local voting commission secures the printing of the ballots in the necessary amount through the district office.

/2/ The common ballot of all registered candidates is prepared for every election district.

/3/ The candidates are listed, on the ballot, in the alphabetical order giving their order number, name and first name, age, occupation, name of the political party or coalition which candidates him, or data informing that he is the independent candidate. Further, the ballot consists of the number of the community /town/ self-administration body members to be elected in this voting district.

/4/ The ballots are marked by the stamp of the Slovak Voting Commission.

/5/ The community secures the delivering of the ballots to all voters 3 days before the election day at the latest and to the polling station commissions on the election day.

Part VI.

Proposal and Registration of Candidates on the Function of the Mayor /Primator/

Article 21 Proposal of Candidates

/1/ Candidates on the function of the community mayor /primator/ can propose the political parties or coalitions of some political parties. Every political party can propose one candidate only on the post of the community mayor /primator/ in every community. The proposals are submitted in writing, in duplicate, to the secretary of the local voting commission 55 days before the election day at the latest.

/2/ There is also a possibility to candidate on the post of the community mayor /primator/ as an independent candidate. The independent candidate submits his proposal in writing, in duplicate, to the secretary of the local voting commission 55 days before the election day the latest. A petition signed by 100 authorized voters as the minimum, in communities with over 2000 inhabitants, and by 50 authorized community voters as the minimum, in communities with less than 2000 inhabitants. The petition should consist next to each signature, name and the first name of the voter, his native identity number and the permanent stay.

/3/ The registration proposal consists of the candidate name and the first name, his age, occupation and the permanent stay. The proposal is to be attached by the declaration according to the article 16, paragraph 8.

/4/ The candidate on the post of a mayor /primator/ must have the permanent stay in the community where he candidates.

/5/ Candidature on the post of the community mayor /primator/ does not exclude a candidature on the community /town/ self-administration deputy post as well.

Article 22 Registration of Candidates

/1/ The local voting commission reconsiders the submitted proposals. It does not register

- a/ the candidate not having attached the declaration according to the article 16, paragraph 8,
- b/ the candidate if the petition is not attached or incompleated according to the article 21, paragraph 2,
- c/ the candidate not having the permanent stay in the community where he candidates /article 21, paragraph 4/.

/2/ Candidates fulfilling requests are registered by the local voting commission 45 days before the election day. Information about the candidates' registration is marked in the candidate documents and on the proposals when it concerns the independent candidate. The candidates' registration should be reported, in writing, to the political parties, coalition of the political parties, independent candidates and to the district voting commission. The district voting commission immediately reports this fact to the Slovak Voting Commission. The candidates registration is a condition of ballots compilation and their printing.

Article 23 Proclamation, Quitting and Withdrawals of the Candidature

Provisions of the articles 18 and 19 are applied to the election of the community mayor /primator/ as well.

Article 24 Ballots

/1/ The local voting commission chairman secures the printing of ballots in the necessary amount through the district office.

/2/ The ballots for elections of the community mayor /primator/ are prepared in such a way that the registered candidates of all political parties, coalitions and independent candidates are listed in the alphabetical order giving their order number, name and the first name, age, occupation, name of the political party or coalition which candidates him or an information that he is the independent candidate.

/3/ Provisions of the article 20, paragraphs 4 and 5 are applied similarly.

Part VII.
Election Preparation

Article 25
Election Proclamation

/1/ Election in the community /town/ self-administration bodies and election of the community mayors /primators/ proclaims the chairman of the National Council of the Slovak Republic.

/2/ Election into the community self-administration bodies take place in the whole territory of the Slovak Republic on the same day. The chairman of the National Council of the Slovak Republic may determine that the election take place within 2 days.

/3/ The chairman of the National Council of the Slovak Republic proclaims election into the community self-administration bodies and determines the election day 70 days before this day at the latest. The decision of chairman of the Slovak Republic National Council is published in the Acts' Collection of the Slovak Republic.

Article 26
Election Day

/1/ Election take place on the determined day from 7.a.m. till 6.p.m. If some local needs request otherwise, the community mayor may determine the beginning of election on an earlier hour.

/2/ beginning is determined from 2.p.m. till 10.p.m. of the first day. On the second day, election is held from 7.a.m. till 2.p.m. If some local conditions request otherwise, the community mayor may determine the election beginning on both days for an earlier hour.

Article 27
Information for Voters

The community mayor informs voters in a way in the community usual on the place and time of election in the community 15 days before the election day at the latest. If there were created several polling stations in the community, the community mayor states which parts of the community belong to the single polling stations. The community mayor at the same time calls attention to voters on a duty to have at a disposal their identity cards and states other information necessary for the fluent election course.

Article 28
Preparation of the Voting Room

/1/ The polling station commission chairman checks up, in the presence of the commission the voting box and the portable voting box before the voting begins and seals them. He also checks up the room outfit whether there is ready the voters list and the sufficient number of ballots and the empty envelopes marked by the official stamp of the mayor /hereinafter "envelope"/.

/2/ If election is held within 2 days, the polling station commission chairman secures the both boxes so that it may not be possible to insert some ballots into them, and put them, together with other election writings on a secured place.

Article 29
Rooms for the Ballot Arrangements

In the voting rooms, some special room is reserved for arrangements of ballots separated in such a way as to be secured the secrecy of voting. The number of this room is determined by the community mayor according to the number of voters in the polling station. Nobody can be present in this room but the voter alone, not even any member of the polling station commission.

Article 30
Election Campaign

/1/ Election campaign period is limited to 30 days till 48 hours before election's beginning.

/2/ In election campaign period every political party submits the candidates lists at least in 1/3 of Slovak Republic's districts the equal admission to the public media. All the candiding political parties and independent candidates have the equal admission to the local media.

/3/ Local administrative body provides the space for election posters. Its using must be equal by each candiding political party and independent candidates.

/4/ 48 hrs before election's beginning as well as at the election's day the election campaign executing is prohibited. Verbally, in writing, by tone and picture in state and local media, in the seats of polling station commissions and their surroundings.

/5/ Voting commissions members and their staff are not allowed to inform about the course and voting results till the voting records are not signed.

Part VIII.
Voting Course

Voting
Article 31

/1/ The voter is obliged to vote personally. He is not allowed to authorize another person for these purposes. District voting commission's members are not allowed to arrange the voter's ballots. The voters are voting on sequence as they entered the poll.

/2/ Entering the poll they are obliged to present themselves with identity card and after the registration they will give the envelope from the commission. If no member of the commission knows the voter and he is not able to present himself by the identity card, the voter is asked to prove his identity by the evidence of two persons well known by the commission. The voting will be refused, if he is not able to do it till the finishing of voting.

/3/ Commission gives to the voter new ballots in case of their incorrect fulfilling or missing ones.

/4/ Voter with the envelope enters the voting space where he may arrange the ballots. Next he is duty to put to the envelope one ballot for community self-administration /mayor/ voting and the other one for municipal self-administration /mayor/ voting. The voter signs on ballot the sequence number of candidates he votes for. The voter may sign on ballot as a maximum the number of candidates which is equal to number of those, they should be elected in particular poll. He signs on mayor's candidate ballots the candidate he votes for.

/5/ Leaving the space for ballot's arrangement voter puts the ballot to the voting box. The commission prohibits the voting for those not enter the arrangement space.

/6/ The voter may asks on important grounds to vote out of poll. In this case two commission's members with portable voting box and envelope enables the voter to vote. In this case the ballot must be secured too.

Article 32

Handycaped voters, unable to arrange the ballot, have right to take the other voter to the ballot arrangement space, to arrange the ballot, put it to the envelope instead and on the sign of handycaped voter.

Article 33

Order in the Poll and Its Nearest Surroundings

District voting commission's Chairman is responsible for order in poll and its surroundings. His orders for keeping the order in poll are obligatory for all.

Article 34
Vote Breaking

District voting commission on agreement with local one is allowed to adjourn the voting or prolongate it in at circumstances, when the beginning continuing or closing the voting is not possible. District voting commission is duty to announce the voters on this measure. When the voting is breaking the district voting commission is duty to seal up the voting documentation, voting box and portable voting box. Chairman at the presence of district voting commission's members ascertains the seals on repeated vote beginning and sign it on voting record.

Article 35
Vote Closing

Passing the voting time only voters in poll or front of it are allowed to vote. After the voting the poll is closed and district voting commission's chairman declares the voting to be finished.

Part IX.
Election's Result Ascertaining

Article 36
Counting Votes Presence

By district voting commission's votes counting, the members of higher degree voting commissions their staff and other ones permitted by Slovak Voting Commission are allowed to be present in poll.

Article 37
Counting Votes by the District Voting Commission

/1/ District voting commission's chairman orders to seal not used ballots and envelopes and open the voting box, after the vote closing. If the portable voting box was used by the request of the voters, the contains of both ones are mixed.

/2/ District voting commission takes off the envelopes from voting box, counts the envelopes, compares theirs number with ones at voters list. Unappropriate envelopes are excluded by the commission.

/3/ District voting commission divides the ballots for the community /municipal/ self-administration and separately for community /municipal/ mayor voting. The commission is duty to ascertain the number of valid votes given to the particular candidates. The voting results are signed on the voting record.

/4/ Each district voting commission's member may look at the ballots. District voting commission's chairman is obliged to control the correctness of the votes counting.

Article 38
Ballots Judging

- /1/ The ballot is void if:
- a/ it is not printed on appropriate print,
 - b/ the candidates on it are not signed appropriately by the voter,
 - c/ the voter signs no one candidate on it, or signed more candidates than should be elected for community /municipal/ self-administration, or signed no one candidate for community or municipal mayor, or signed more than one candidate for this function.
- /2/ District voting commission excludes the ballots with unsigned candidates, if there are two or more ballots on the envelope. District voting commission considers to be valid only one ballot on envelope, if there are two or more ballots with the candidates equally and correctly signed. In contrary case all the ballots are void.
- /3/ The ballot's damage has no influence to its validity. There is no taking to account to crossing and adding names on ballots.
- /4/ The district voting commission finally decides of ballot's validity on questionable cases.

Article 39
Polling Station Commission's Voting Record

- /1/ Polling station commission is duty to make a two copies of voting record signed by the commission's chairman as well as by its members and secretary.
- /2/ Record's contents is to be followed:
- a/ begin and close of voting eventually its breaking,
 - b/ number of persons signed in voting list,
 - c/ number of persons which the envelopes were given,
 - d/ number of envelopes given by the voters,
 - e/ number of valid votes to the particular candidates for the community /municipal/ self-administration,
 - f/ number of valid votes given to particular community /municipal/ mayor candidates,
 - g/ short contents of announcements and complaints given to the polling station commission and the resolution accepted by the commission.
- /3/ In communities with only one election district /article 9/2/ the commissions are not duty to make a record.

Article 40
Polling Station Commission's Activity Closing

- /1/ After the votes counting and signing the voting record the polling station commission's chairman declares the voting result and sends urgently one record's copy to the local voting commission.
- /2/ Polling station commission is duty to seal the ballots, envelopes and voters list and sends it with other voting documentation to the local self-administration office for safe -keeping.

Article 41
Local Voting Commission's Votes Counting

/1/ Local voting commission is obliged to count the votes and ascertains the voting results in community, based on polling station commissions records.

/2/ In room where the voting commission counts the votes are allowed to be presented the members of higher degree voting commissions, their staff and other persons allowed by the Slovak Voting Commission.

Article 42.
Local Voting Commission's Record on Elections Results

/1/ Local voting commission is obliged to make two copies record of community's election results. The record will be signed by the chairman as well as other commission's members and secretary.

/2/ Record's contents is to be followed:

- a/ number of the polls,
- b/ number of persons signed in voters lists,
- c/ number of voters which the envelopes were given,
- d/ number of envelopes given by the voters,
- e/ number of votes given to the particular candidates for the local /municipal/ self-administration voting,
- f/ names of the candidates elected to the community /municipal/ self-administration,
- g/ names of the substitutes,
- h/ number of valid votes given to the particular community /municipal/ mayor candidates,
- i/ short contents of record the announcement and complaints given to the local voting commission.

/3/ The communities where only one poll is created /article 9/2/ are not obliged to make a record.

Article 43
Local Voting Commission's Record on Voting Results

/1/ Local voting commission is duty to make two copies of election results record in community. The record will be signed by its chairman, staff and secretary.

/2/ The record's contents is to be followed:

- a/ number of polls,
- b/ number of polls and polling station commission, which have sent the voting result,
- c/ number of persons signed in voters lists,
- d/ number of voters which the envelopes were given,
- e/ number of envelopes given by the voters,
- f/ number of votes given to the particular candidates for the local /municipal/ self-administration voting,
- g/ names of the candidates elected to the community /municipal/ self-administration, or information they are independent candidates,
- h/ names of the substitutes,

- i/ number of valid votes given to the particular candidates for the mayor voting,
- j/ name elected mayor's name, his political membership or information he is independent candidate,
- k/ short contents of records the announcement given to the local voting commission and resolutions accepted by the commission.

Article 44 Election Results

/1/ The candidates gaining the maximal votes number in poll are elected the deputies of community /municipal/ self-administration.

/2/ If two or more candidates of the same political party or coalition in poll gain the equal number of valid votes, the deputy candidate is elected according the political party /coalition/ candidate list's sequence.

/3/ If it is not possible to ascertain the elected community /municipal/ self-administration's deputy upon the paragraph 2, as there are the candidates of several political parties /coalitions/ or the independent ones, the deputy will be chosen by the drawing lots.

/4/ The community /municipal/ candidate with maximal number of the valid votes is elected a mayor.

Article 45 Election Results Publishing

Local voting commission is obliged to publish urgently the voting results on community /municipal/ election as well as the mayor's election results community /municipal/.

Article 46 District Voting Commission Record

/1/ District voting commission ascertains the district voting results, based on local voting commissions records.

/2/ District voting commission is obliged to make 2 copies of the voting results record in district. The copies are signed the commission's chairman, its members and the secretary.

/3/ Record's contents is to be followed:

- a/ number of persons signed on district voters lists,
- b/ number of voters which the envelopes were given,
- c/ number of voters elected to the community /municipal/ self-administration in accordance of the particular political parties and independent candidates,
- d/ number of communities with elected local /municipal/ self-administration,
- e/ number of elected communities /municipal/ mayors in accordance of the particular political parties and independent candidates.

/4/ Commission's chairman is obliged to send urgently one record's copy after its signing to the Slovak Voting Commission. Rest of voting documentation is leaving on District Office, for safe-keeping.

Article 47

Slovak Voting Commission's Record and Election Results Publishing

/1/ Slovak Voting Commission ascertains the local /municipal/ election results as well as the communities /municipal/ mayors election results in the Slovak Republic's territory.

/2/ Slovak Voting Commission is obliged to make a Election results record for the whole Slovak Republic, signed by its Chairman, members of the commission and the secretary.

/3/ Record contents is to be followed:

- a/ number of persons signed at the voters lists in the Slovak Republic,
- b/ total voters number which the envelopes were given,
- c/ total deputies number, elected to the community /municipal/ self-administration in accordance of the particular political parties and independent candidates,
- d/ number of communities in which the local /municipal/ self-administration has been elected,
- e/ number of elected communities /municipal/ mayors in accordance of particular political parties and independent candidates.

/4/ Slovak Voting Commission is obliged to publish the total community /municipal/ election results, immediately after voting results record's signing.

Article 48

New Election

/1/ National Council of the Slovak Republic's Chairman is duty to execute new election at least till one week after the election's results proclamation, if the election from any reasons in any community were not executed upon this law.

/2/ The new election will be executed in case, if the candidates for mayor have received the equal votes number /article 44/4/.

/3/ The new election will be executed on base of the voters list, made for new election.

/4/ This Act's provisions will be used for new election.

Article 49

Elected Deputies Certification

Local voting commission is obliged to give to the candidates elected to a community's /municipal/ deputies the certification, confirming the candidate's electing a deputy.

Article 50
Election Complaints

/1/ Every citizen signed at poll list, political party, coalition or independent candidate is allowed to complaint to elected deputy's certification in poll where the deputy or mayor was elected. The complaint has to be a reasonable one. It is sent to the District Court within 10 days after the voting result's proclamation.

/2/ The District Court is obliged to proceed the complaint within 10 days on bench of its Chairman and two judges. The court's proceeding is governed by the Civil Procedure Act's provisions.

/3/ There is no appeal to the court's complaint decision.

/4/ The opinion stated in decision will be sent to the community /municipal/ administration.

Article 51
Substitutes

/1/ Invoted candidate with maximal votes number occupies the mandate in case the community /municipal/ self-administration mandate became free.

/2/ Mandate's occupation by the substitute is proclaimed by the community /municipal/ administration within 15 days the mandate became free and gives the substitute the Deputy Certification.

/3/ If the mayor's mandate became free new election are proclaimed. New election will be executed if the local /municipal/ self-administration mandate is free and there is no substitute on this mandate according the paragraph 1.

Part X.
Measures to Secure the Election

Article 52
Auxiliary Measures Secure

/1/ Community self-administration bodies in poll are obliged to provide all the auxiliary measures i.e. polls, their needs, envelopes and auxiliary officials for polling station commissions.

/2/ Community self-administration bodies are obliged to provide the auxiliary measures for local voting commissions.

/3/ District administrative body is obliged to provide the auxiliary measures for the district voting commissions.

Article 53
Administrative Bodies and Organizations Cooperation

/1/ All the state administrative bodies and organizations are duty to cooperate on execution of this Act.

/2/ Organizations and persons dealing with printing activity are obliged to provide at the request of the administrative bodies tasks securing upon this act, the printing of the voters lists, and other needed documents ordinary and in requested time.

Article 54

Elections Results Computer Processing Secure

/1/ Statistic bodies of the Slovak Republic are duty to provide the programming, technical and organizing conditions for elections results computer processing.

/2/ Ministry of Interior of the Slovak Republic and other state bodies of the Slovak Republic are duty to record in time every fact concerning the providing the elections results computer processing.

Voting Commissions Members Claims

Article 55

/1/ Function of voting commission member is the honourable one. Voting commission member should not be limited in cause of his function, on rights and claims flowing from his employment or other similar relation. He has the claim of free of work with wage substitution first of all.

/2/ The employer who has paid the wages upon the paragraph 1 has pretention to cover this sum. The Ministry of Finance of the Slovak Republic on agreement with the Ministry of Interior of the Slovak Republic will determine the way of cover.

/3/ Polling station commission's member has the pretention on the reward for his activity at the commission when there is no claim for the wage paying according the paragraph 1. The reward's level will be stated by the Ministry of Finance of the Slovak Republic, on agreement with the Ministry of Interior of the Slovak Republic.

Article 56

The fact the candidature should not suffer a loss to the candidate, in his employee's or similar relations.

Article 57

Voting Costs Cover

/1/ Community /municipal/ self-administration and mayors voting costs are covered from the State Budget of the Slovak Republic.

/2/ Every political party and every independent candidate is obliged to cover the election campaign by themselves.

Part XI.
Final Provisions

Article 58

/1/ If the new community /town/ is established before this Act coming into force, its self-administration is created by the existing community /municipal/ self-administration deputies with constant stay at the new established community's /town's/ territory. Existing community /municipal/ self-administration is obliged to execute the by-election also electing the mayor.

/2/ If the communities within the election period are united to new one, its self-administration is created by the deputies of existing communities self-administration. By-election is provided by the community self-administration of united community.

Article 59

Measures realized by the particular state administration bodies on preparation and execution of this Act before the election will be proclaimed, are valid if they are not in contradiction with laws. The measures are considered to be executed on its efficiency.

Final Provisions

Article 60
Sanctions

Making the preparation and execution of election not possible is punished upon the separate regulations.

Article 61

/1/ Ministry of Interior of the Slovak Republic
a/ declares the detailed community self-administration bodies tasks in

1. Creating the polls
2. Creating the voters lists
3. Providing and equipping the polling stations
4. Ballots and other voting documents safe-keeping

b/ publishes the ballots, voters lists and other voting documents samples,

c/ on agreement with the Slovak Statistics Office states within 50 days before election's beginn the details and labour organization between the voting commissions and summarizing bodies.

/2/ Slovak Statistics Office on agreement with Ministry of Interior of the Slovak Republic publish the voting results processing methodics.

Article 62
Abolishing Provisions

The Slovak National Council's Act on Election to the Self-Administration Bodies in the Slovak Socialist Republic No 56/1971 is abolished.

Article 63
Efficiency of Act

This Act shall come into force on the day of its proclamation.



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